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VOLUME 6

I N D E X

| <u>Day</u> | <u>Date</u> | <u>Session</u> | <u>Page</u> |
|------------|-------------|----------------|-------------|
| Monday     | May 7, 1984 | A.M.           | 813         |
|            |             | P.M.           | 911         |

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W I T N E S S E S

| <u>PLAINTIFF'S WITNESSES:</u>  | <u>DIRECT</u> | <u>CROSS</u> | <u>REDIRECT</u> | <u>RECROSS</u> |
|--------------------------------|---------------|--------------|-----------------|----------------|
| HUBBARD, Mary Sue<br>(Resumed) | 821           | 845<br>911   |                 |                |

E X H I B I T S

| <u>DEFENDANT'S</u>  | <u>IDENTIFIED</u> | <u>RECEIVED</u> |
|---|-------------------|-----------------|
| D - Copy of a letter, 2-11-80<br>from "Mary Sue" to "Gerry"             | 849               | 850             |
| E - Copy of a letter, 2-5-80<br>from "Gerry Armstrong" to<br>"Dear Sir" | 850               | 851             |
| F - Petition, 1-8-80  | 898               |                 |
| G - Contract  | 906               |                 |
| H - Biography of L. Ron Hubbard   | 935               |                 |
| I - Omar's biographical work points<br>and attached Schedule A          | 959               |                 |
| J - Copy of seven-page letter dated<br>15 Oct 1980                      | 974               |                 |

## CROSS-EXAMINATION

1  
2 BY MR. FLYNN:

3 Q Mrs. Hubbard, did you understand that Omar  
4 Garrison was going to write a biography about your husband?

5 A I did.

6 Q When did you first learn that such a biography  
7 was going to be written?

8 A You'll have to clarify your question because  
9 there were different times that there were biographies going  
10 to be done.

11 Q When did you first learn that a biography was  
12 going to be written by Omar Garrison?

13 A It was proposed some time in the late '70's,  
14 that we would -- in the Guardian's office that we would have  
15 him write a biography at some point, yes.

16 Q Could you be more specific with regard to a  
17 particular year?

18 A No, I can't. Late '70's.

19 Q Is there any particular date that you have in  
20 mind when you feel that Omar Garrison was the one that  
21 was chosen to do the biography?

22 A Well, I think as far as like a date in -- when  
23 he was chosen, I am not exactly certain. But I feel it was  
24 resolved when he did sign the contract that he would write  
25 the book.

26 Q Your memory is that the contract was October,  
27 1980, some time about there?

28 A Yes.

1           Q       Was it your understanding that it was going to  
2 be a truthful biography?

3           A       Yes.

4           Q       And that the facts about your husband's life  
5 recited in the biography would be accurate; was that your  
6 understanding?

7           A       Yes, without any invasion of privacy or that  
8 sort of thing, yes.

9           Q       What do you consider to be an invasion of  
10 privacy?

11          A       Personal matters that -- when people are  
12 currently living that one doesn't go into, doesn't invade  
13 their privacy.

14          Q       What do you consider to be personal matters?

15          A       I would consider the death of my son and the  
16 autopsy report and the private detective investigation of  
17 that to be a personal matter.

18          Q       And in your view that would not be the proper  
19 subject of biographical interest by Mr. Garrison; is that  
20 correct?

21          A       That is correct.

22          Q       Did you tell Mr. Garrison that?

23          A       I never had a communication. He never asked  
24 me anything. I never had any communications except one  
25 letter from him saying he would like to interview me.

26                   I told him I am sorry, but I am busy. But  
27 put any questions on tape and I would be glad to hear from  
28 him. But I never heard from him.

1           Q           So you never placed any restriction on  
2 Omar Garrison about putting materials in the biography  
3 relating to the death of your son Quentin; is that correct?

4           A           I didn't know he had the materials about the  
5 death of my son Quentin. I didn't know anybody had gone  
6 into storage and given these things out.

7           Q           Do you know approximately how many pages of  
8 material Omar Garrison had to write the biography of your  
9 husband?

10          A           I don't know, but there are thousands and  
11 thousands of pages in these boxes that are over there.

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1 Q You have looked through those boxes?

2 A I have.

3 Q Did you ever obtain any understanding as to how  
4 many pages of material Mr. Garrison had in addition to  
5 what is in the boxes under seal?

6 A No.

7 Q If I suggest to you that the boxes under seal  
8 represent less than two percent of the materials in the  
9 possession of Omar Garrison about your husband, do you have  
10 any knowledge of that type of percentage?

11 MR. LITT: Objection; calls for speculation. There  
12 is no foundation. The witness said she doesn't know how  
13 much.

14 THE COURT: Well, as phrased, it assumes facts not  
15 in evidence. You can pose it as a hypothetical and it is  
16 a proper question.

17 Q BY MR. FLYNN: Let me ask you this, Mrs. Hubbard:  
18 You knew that Gerald Armstrong was collecting materials,  
19 did you not, to write the biography?

20 A Yes.

21 Q And you knew that Omar Garrison was using  
22 the materials to write the biography; is that correct?

23 A I presume so, yes.

24 Q Did you ever communicate to Gerald Armstrong  
25 any restrictions with regard to the collection of the  
26 materials to write the biography?

27 A Yes.

28 Q When?

1           A           In a letter. I forget exactly when it was.  
2 I asked him to ask me for any materials that he wished or  
3 wanted to know about and then I would have to authorize them  
4 to send them to him.

5           Q           Do you recall the date of that letter?

6           A           That was some time in February 1980.

7           Q           And do you recall what restrictions you put on  
8 Mr. Armstrong?

9           A           Well he would have to request -- anyone wanting  
10 to go into my personal storage would have to request me for  
11 materials or anyone wanting materials from me would have to  
12 request me first.

13          Q           If I suggest to you that that letter was  
14 dated February 11, 1980, does that refresh your memory at  
15 all?

16          MR. LITT: Why can't the letter be shown to Mrs. Hubbard  
17 and then we will not have to suggest.

18                    Are you marking that, Mr. Flynn, or are you  
19 just showing it to her?

20          MR. FLYNN: I am going to offer it.

21          MR. LITT: Perhaps it should be marked as an exhibit,  
22 Your Honor.

23          THE COURT: What are we up to?

24          THE CLERK: D as in David.

25          THE COURT: All right, mark it as D for identification.

26          THE WITNESS: Yes.

27          MR. FLYNN: My understanding that has been marked in  
28 evidence?



1 THE COURT: Marked for identification.  
2 Are you offering it in evidence?  
3 MR. FLYNN: I am, Your Honor.  
4 THE COURT: Any objection?  
5 MR. LITT: Let me just take another look at it, Your  
6 Honor. I don't think so.  
7 No objection, Your Honor.  
8 THE COURT: All right, be received.  
9 Q BY MR. FLYNN: And that letter was in response  
10 to a letter dated 5 February, 1980; is that correct,  
11 Mrs. Hubbard?  
12 A Yes, that is correct.  
13 Q And you received that, did you not, at  
14 some point prior to February 11, 1980?  
15 A Yes, I did.  
16 MR. HARRIS: Just so we can keep the record straight,  
17 Your Honor, do you intend to mark the exhibit that she is  
18 referring to as a piece of evidence, Mr. Flynn?  
19 MR. FLYNN: I do, Mr. Harris.  
20 MR. HARRIS: May it be marked defendant's next in  
21 order?  
22 THE COURT: Are you talking about this two-page  
23 letter of February 5?  
24 MR. FLYNN: May that be marked as defendant's D.  
25 THE CLERK: Is that a different one?  
26 THE COURT: It is a different -- E as in easy.  
27 MR. FLYNN: It is now my understanding they are both  
28 marked, the 5th February --

1 THE WITNESS: This one is marked D.

2 THE COURT: It is marked for identification. I  
3 haven't received it in evidence.

4 MR. FLYNN: I am offering that, also.

5 THE COURT: Any objection?

6 MR. LITT: No objection.

7 THE COURT: All right then they are both received in  
8 evidence.

9 Q BY MR. FLYNN: Now, do you have any understanding  
10 as to whether your husband authorized Mr. Armstrong to  
11 collect materials?

12 A I don't believe my husband did.

13 Let me say I don't believe my husband authorized  
14 Gerry Armstrong to go into our personal information storage  
15 to collect materials or the Guardian Archives trunks, no.

16 Q Now the Guardian Archives trunks were located  
17 at Gilman Hot Springs; is that correct?

18 A No.

19 Q Where were they located?

20 A They were located at the church facilities in  
21 Los Angeles known as the Cedars Complex.

22 THE COURT: Let me just so we don't get confused  
23 here, the Guardian Archive trunks and the Controller Archive  
24 trunks are the same trunks.

25 Otherwise, we are going to start using  
26 different terms and everybody is going to be asking questions  
27 at cross purposes.

28 MR. FLYNN: Thank you, Mr. Litt.

1 Q Now, R Storage is located where, Mrs. Hubbard?

2 A In Gilman Hot Springs.

3 Q And is it your contention that your personal  
4 materials were located there?

5 A Yes, some of them, a great deal of them.

6 Q Do you have any understanding as to whether  
7 Mr. Armstrong petitioned your husband to use materials  
8 collected from Gilman Hot Springs to assist in the biography  
9 project?

10 A No, I do not.

11 Q Do you know whether such a petition was sent  
12 to your husband?

13 A I know that a petition was sent to my husband  
14 in relationship to being appointed to the post.

15 Q When did you learn that?

16 A I learned that in the -- in my deposition in  
17 this case.

18 Q So you learned that after the date of  
19 5 February, 1980; is that correct?

20 A Yes.

21 Q And the date of 5 February, 1980 is the date  
22 of Mr. Armstrong's petition which has been marked as  
23 exhibit E; is that correct?

24 A Yes.

25 Q And your testimony today is you first learned  
26 that he had petitioned your husband when your deposition  
27 was taken?

28 A No, no. I first saw the petition, the actual

1 written petition when my deposition was taken. When this  
2 was sent to me, the original petition that he had done to my  
3 husband was not attached to what I received.

4 MR. HARRIS: "This" for the record, Mrs. Hubbard, is  
5 what exhibit?

6 THE WITNESS: This is E.

7 Q BY MR. FLYNN: Your deposition was taken on  
8 January 11, 1983; is that correct?

9 A It was taken in January '83, yes.

10 Q Now the question is when did you first learn  
11 that Mr. Armstrong petitioned your husband to collect  
12 materials for the biography?

13 A I learned that my -- that he was appointed to  
14 the post in this petition and that he was intending to  
15 collect materials for the biography.

T12

1 Q All right. So you knew --

2 MR. LITT: That this, again, refers to exhibit E.

3 Q BY MR. FLYNN: Do you have any memory as to when  
4 you received exhibit E?

5 A Well, I usually answered something  
6 when I actually saw it which would be like my answer  
7 which is exhibit D which is February 11th.

8 Q So your memory is that you received exhibit E  
9 on February 11th and responded that day; is that correct?

10 A Yes, that is correct.

11 Q And your testimony now is that you knew as of  
12 February 11 that Mr. Armstrong was commissioned to write --  
13 to collect materials for the biography; is that correct?

14 A That is correct.

15 Q And you knew on that date that -- quoting from  
16 exhibit E, " ... petitioned R -- "

17 R is your husband?

18 A That is correct.

19 Q -- "to do this post"; is that correct?

20 A Right.

21 Q And the paragraph before that --

22 MR. LITT: Just to clarify, based on that question,  
23 she knew that that is what Mr. Armstrong said?

24 THE COURT: Let's let the witness answer the question.  
25 If you have an objection, object.

26 We'll take a 15-minute recess.

27 (Recess.)

28 THE COURT: In the case on trial, let the record reflect

1 that the parties and counsel are present.

2 You may retake the stand. State your name  
3 again for the record.

4 You are still under oath.

5 THE WITNESS: Mary Sue Hubbard.

6 THE COURT: Have a seat.

7 You may continue with your cross-examination.

8 Q BY MR. FLYNN: Mrs. Hubbard, I believe you  
9 testified on direct examination that Mr. Armstrong stole  
10 materials relating to the death of your son Quentin; is that  
11 correct?

12 A I don't know if I alleged specifically to those,  
13 but I consider he did steal materials of mine.

14 Q Relating to Quentin?

15 A As -- I am not sure. I think he got those from  
16 the GO. And they were not supposed to give the materials  
17 to him without my permission.

18 Q When do you -- the GO is the Guardian's Office?

19 A Yes. That's right.

20 Q When do you think he got those from the  
21 GO?

22 A I have no idea.

23 Q What made you think he got those from the GO?

24 A Because I know they have the records there.  
25 And I also know that in our agreement with the police in  
26 Las Vegas, that those documents were under seal there.

T13

1 Q That they were under seal in the records of  
2 the GO?

3 A No, that they were under seal -- the original  
4 documents of those are under seal in Las Vegas and that those  
5 materials then could have only come from the GO files.

6 Q I believe you testified that what Mr. Armstrong  
7 stole were reports of private investigators that the Guardian's  
8 Office had hired?

9 A That is correct.

10 Q What makes you think he stole those?

11 A Well, why does he have them in his possession?  
12 I mean, he is not working on any biography.

13 Q Do you consider those to be personal materials  
14 that shouldn't have gone to Mr. Garrison?

15 A I do.

16 Q And so you don't know whether Mr. Armstrong  
17 stole those and kept them on his own or whether he gave them  
18 to Mr. Garrison?

19 A No, all I know is that they are right there  
20 in the court records.

21 Q In fact, you don't even know who gave them to  
22 Mr. Garrison; do you?

23 A No, I don't.

24 Q And who is Vaughn Young?

25 A He is an employee, I believe, of the church at  
26 one time that I knew.

27 Q Do you know whether he is now?

28 A I don't know.

1 Q Do you know whether he's been named as a  
2 witness in your case?

3 A I didn't review the witness list, no.

4 Q Do you know whether he's been reviewing the  
5 documents downstairs that are under seal?

6 A No, I was never there when he was doing any  
7 reviewing of documents.

8 Q Did you ever give him permission to do that?

9 A No, I have never given him permission to do  
10 that.

11 Q And you don't know whether he is currently  
12 working for the church or for you?

13 MR. HARRIS: Asked and answered.

14 THE COURT: Sustained.

15 Q BY MR. FLYNN: Well, if I suggest to you,  
16 Mrs. Hubbard, that it was Vaughn Young who gave the  
17 materials relating to Quentin to Mr. Garrison and not  
18 Gerald Armstrong, does that surprise you?

19 A I -- MR. HARRIS: Object to the form of the  
20 question.

21 THE COURT: Sustained.

22 Q BY MR. FLYNN: Do you know whether Vaughn Young  
23 gave the materials to Omar Garrison relating to Quentin?

24 A I don't know.

25 Q And you don't know whether Vaughn Young has  
26 been working in the employ of the church right up to the  
27 present time?

28 MR. HARRIS: Asked and answered, Your Honor, three



1 times now.

2 THE COURT: I will sustain the objection.

3 Q BY MR. FLYNN: In any event, your testimony  
4 is that those materials relating to Quentin are personal  
5 and shouldn't have gone to Omar Garrison; is that correct?

6 A That is correct.

7 Q Do you know whether Mr. Young received permission  
8 from anyone in the Guardian's Office to collect those  
9 materials?

10 A Collect them for what purpose?

11 Q For the biography.

12 A No, I don't know that.

13 Q You were removed from your post as controller  
14 at some point in time?

15 A I resigned from my post at some point in  
16 time.

17 Q When was that?

18 A That was in May 1981.

19 Q Did you resign because of your conviction of  
20 a felony?

21 A Partially. That was part of the reason, yes.

22 Q And what felony were you convicted of,  
23 Mrs. Hubbard?

24 A I was convicted of a violation of 18 USC 371.

25 Q What is that?

26 A Committing a conspiracy --  
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1 MR. LITT: Objection. Any further inquiry is improper.

2 THE COURT: It is permissible to bring out what the  
3 common name of it is. The number is meaningless in  
4 itself.

5 Q BY MR. FLYNN: Was it a conspiracy to obstruct  
6 justice?

7 A It was a conspiracy to commit an offense  
8 against the United States Government.

9 Q Was it your understanding that you committed  
10 a conspiracy to obstruct justice?

11 MR. HARRIS: Her understanding is irrelevant. She has  
12 given the code section. This is clearly improper.

13 THE COURT: I'll sustain the objection. It is  
14 argumentative.

15 Q BY MR. FLYNN: Mrs. Hubbard, when you were  
16 controller did you impose tight security over Guardian Office  
17 documents and materials?

18 A There was tight security on Guardian Office  
19 documents and materials, yes.

20 Q Who had access to Guardian Office type materials  
21 when you were controller?

22 A Only Guardian Office personnel were authorized.

23 Q If someone outside of the Guardian's Office --  
24 strike that.

25 Anyone outside the Guardian's Office who  
26 wanted to see the materials had to get permission; is that  
27 correct?

28 A That was the way it was supposed to have been,

- 1           A       Yes.
- 2           Q       Was there any changes in that procedure?
- 3           A       Not that I am aware of, no.
- 4           Q       And was Mr. Armstrong, to your knowledge,  
5       ever a member of the Guardian's Office?
- 6           A       He attempted to be on many occasions, but he  
7       never was permitted to be, no.
- 8           Q       So the answer was he was not?
- 9           A       That is correct.
- 10          Q       So if he ever had to get Guardian Office  
11       material, he would have to get permission; is that correct?
- 12          A       Hypothetically, yes. He would have to.
- 13          Q       Well, can you describe where the Guardian's  
14       Office Archives were located in Los Angeles.
- 15          A       I simply know they exist. I have never been  
16       to the church facility there.
- 17          Q       Did you testify on direct that you were  
18       basically the head of the Guardian's Office?
- 19          A       No.
- 20          Q       Were you?
- 21          A       No, I wasn't.
- 22          Q       In your post as controller did you have overall  
23       supervisory authority over the Guardian's Office?
- 24          A       Yes, I did. The head of the Guardian's Office.
- 25          Q       What was her name?
- 26          A       Jane Kember.
- 27          Q       You had authority over her?
- 28          A       I had general supervision over her, yes.

1           Q       You can't tell us any of the security measures  
2 that were in existence in Los Angeles with regard to  
3 Guardian's Office Archives; is that your testimony?

4           A       There were security arrangements that were  
5 made in relationship to the Guardian files there.

6           Q       Do you know what it is or was during 1980 and  
7 1982?

8           A       I know that only authorized people could go to  
9 the Guardian's Office space. And I know that only certain  
10 people were allowed into various files in the Guardian's  
11 Office.

12          Q       Okay. Are you familiar in general with  
13 the files of the Guardian's Office?

14          A       No.

15          Q       Do you know whether any documents existed  
16 in Guardian's Office files in 1980, 1981 that related to you  
17 and your husband?

18          A       Yes, by inference.

19          Q       Were there any files that directly related to  
20 you and your husband?

21          A       Yes.

22          Q       Were there any personal materials in the Guardian's  
23 Office relating to you and your husband?

24          A       Yes.

25                   My son and what I have already testified, the  
26 matter of Alexis.

27          Q       So the Guardian Office had possession of  
28 personal material relating to you and your husband; is that

1 your testimony?

2 A Certain materials. Yes.

3 Q You were removed from the post of controller  
4 when?

5 MR. LITT: I object. The testimony was that she  
6 resigned. It assumes facts not in evidence.

7 THE COURT: Reframe the question.

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1 Q BY MR. FLYNN: You resigned when, Mrs. Hubbard?

2 A In May 1981.

3 Q Thereafter did you have any authority or  
4 access to Guardian's office files after your resignation?

5 A No, I did not.

6 Q So, whoever succeeded you, according to the  
7 routine policy of the church in the position of controller,  
8 could give permission to someone like Mr. Armstrong to obtain  
9 access to those files; is that correct?

10 A They could, yes.

11 Q And what is the name of the individual who  
12 succeeded you?

13 A I think his name was Gordon Cook.

14 Q Do you know whether Mr. Cook gave permission  
15 to Mr. Armstrong to review Guardian's office files?

16 A No, I don't know.

17 Q And your testimony is that there were personal  
18 materials in the Guardian's office files relating to you and  
19 your husband; is that correct?

20 MR. LITT: Objection; asked and answered.

21 THE COURT: Sustained.

22 Q BY MR. FLYNN: Do you know what personal  
23 materials exist in the Guardian office archives relating to  
24 you and your husband?

25 A Are we talking about the controller's archives  
26 now, the ones that were under my -- in the trunks?

27 Q Well, your attorney suggested there is no  
28 difference between Guardian office archives and controller

15-2

1 archives; do you agree with that?

2 A Yes.

3 Q Now, other than the contents of the trunks  
4 that you have testified about, can you tell me what personal  
5 materials were in the possession of the Guardian office  
6 archives relating to you and your husband?

7 THE COURT: At what point in time, counsel?

8 MR. FLYNN: In 1980-81.

9 MR. LITT: Your Honor, I think the question is  
10 ambiguous.

11 Mrs. Hubbard has testified as to what the  
12 personal materials were in the controller's archives. Then  
13 Mr. Flynn said: Can you tell us what other materials were  
14 in the controller's archives.

15 I don't understand the question. I don't see  
16 how Mrs. Hubbard can understand the question.

17 THE COURT: Well, I am not really sure what you are  
18 really after.

19 We have got some inventory. I don't think you  
20 want to try to identify each and every item that was in any  
21 particular --

22 MR. FLYNN: I will withdraw the question, Your Honor.

23 Q Mrs. Hubbard, you listed the materials in  
24 direct examination that were in the trunks that were in  
25 controller archives; is that correct?

26 A I did.

27 Q Now, other than those materials that you listed,  
28 were there any other materials in controller or Guardian

1 office archives which per your testimony is the same relating  
2 to personal materials of you and your husband in 1980-1981?

3 A I don't understand what you are asking about.  
4 You mean other than what I said?

5 Q Other than what you have testified.

6 A Oh, there were many other things. You just  
7 named off a few of the things that were in the archive  
8 trunks.

9 Q And there were many other things of a personal  
10 nature; is that your testimony, in the Guardian office  
11 archives?

12 A No.

13 MR. LITT: Your Honor, can we get some ground rules?  
14 Can the phrase "controller's archives" be used  
15 to refer to that?

16 THE COURT: Well, I don't know. It's been off and on.

17 MR. LITT: It has been used by Mrs. Hubbard, and  
18 Mr. Flynn is starting to interchange.

19 THE COURT: I have been given here an inventory of  
20 G.O. archives.

21 MR. LITT: But that is a different archive than  
22 controller's archive.

23 THE COURT: Maybe we better find out. You said before  
24 they were the same thing.

25 MR. LITT: Let's get it cleared up because I am  
26 getting confused by Mr. Flynn's questions.

27 THE COURT: Okay.

28 Q BY MR. FLYNN: Mrs. Hubbard, is it your



1 understanding that the controller archives and the Guardian  
2 archives are the same thing?

3 A Well, I can take that -- yes, we can consider  
4 they are the same thing.

5 Q Okay. Do you know where the Guardian office  
6 archives were located in 1980-1981?

7 A Yes.

8 Q Where?

9 A At the Cedars Complex, the church facilities  
10 there.

11 Q In addition to the materials in the trunk or  
12 the trunks that you have testified about, can you give us  
13 some estimate as to how big the Guardian office archives  
14 were in 1980-1981?

15 A Well, when I am referring to the Guardian  
16 archives, I am referring to those materials that are in those  
17 trunks, and there isn't, to my knowledge, other than for like  
18 tapes and so on, there isn't anything that I knew of that was  
19 in the Guardian archives.

20 Q Where were the Quentin materials?

21 A The Quentin materials, I think, were taken  
22 from the Guardian office, but the Guardian office is  
23 separate, you see. There is a Guardian office, U S Guardian  
24 Office, and then there is the controller's office, and the  
25 U S Guardian Office, which was a local Guardian office  
26 which also had facilities there at the complex. They had  
27 their own files.

28 Q Were there any group or collection of documents

1 in the Guardian's office other than the trunks which were  
2 denominated Guardian office archives?

3 A Not to my knowledge. There were just the  
4 tapes and the HCOB's and that sort of thing.

5 Q There was no such denomination Guardian  
6 office archive; is that correct?

7 A No. There just was really the controller's  
8 archives.

9 Q Now, other than the trunks in the controller's  
10 archive, were there any other documents and materials?

11 MR. LITT: Objection.

12 THE WITNESS: I don't know what he is talking about.

13 MR. LITT: The question is ambiguous. Were there any  
14 other materials where?

15 MR. FLYNN: In the controller's archives. That is  
16 what I said, Mr. Litt.

17 Q Other than the trunks, were there any docu-  
18 ments or materials in the controller's archives?

19 A Yes.

20 Q Can you give the Court an estimate of how big  
21 they were?

22 A Well, most of them had come from the archive  
23 trunks and they had been put into file cabinets by Tom Vorm  
24 and they were also doing tape projects and they were taking  
25 out all the tapes and were making master recordings of the  
26 tapes, and they had taken out transcriptions of the tapes.  
27 In other words, the tapes were being transcribed for use in  
28 publishing books and so they were -- those materials were

15.6  
1 also in what is known as the controller's archives.

16.1  
2 Q Let's start here.

3 How many trunks were there in the controller  
4 archives, if you remember?

5 A There were approximately 27 trunks.

6 Q And those were placed into filing cabinets?

7 A No. The trunks still remained there.

8 Materials were taken from those trunks and placed into  
9 filing cabinets within the controller archives.

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16.2

1 Q Approximately how many filing cabinets in  
2 1980-81 were there in the controller's archives, if you know?

3 A I don't know.

4 Q Now, what about the Guardian office archives  
5 worldwide? Where were they located?

6 A Those were located at Saint Hill, Sussex.

7 Q Did they contain the same materials or copies  
8 thereof of what was contained in the controller's archives  
9 in the United States?

10 A What do you mean copies of?

11 Q Well, were these basically the same materials,  
12 only one was originals and one was copies?

13 A I don't know what they had at Guardian archives  
14 at Saint Hill.

15 Q Had you ever been there?

16 A No. I had never been there to see those after  
17 they had been established.

18 Q Can you give the Court some estimate of how big  
19 those archives were?

20 A No, I can't. I have never been there.

21 Q What about the B-1 archives? Have you ever  
22 heard that term?

23 A No. I have never heard that one term.

24 Q Have you ever heard the term "B-1 files"?

25 A I have heard of the Information Bureau files.

26 Q The Information Bureau was the bureau of the  
27 Guardian's office that collected information?

28 A Yes, it was.

1 Q And is that the bureau that collected  
2 information on Quentin?

3 A Yes.

4 Q And were Quentin's files in the B-1 bureau  
5 files?

6 A I can't testify directly to that. But I  
7 presume they were.

8 Q They were?

9 A I presume so.

10 Q Now, was there different types of permission  
11 procedures required to get into B-1 files as opposed to  
12 getting into controller's archives?

13 A Yes.

14 Q What was the difference?

15 A In getting into Information Bureau files, they  
16 would have to go through Guardian personnel to get authority.  
17 And to get into the controller's archives, they had to go  
18 through myself to get authority.

19 Q After you resigned, permission would reside in  
20 the new controller; is that correct?

21 A Yes.

22 Q Now, when did you first know that Gerald  
23 Armstrong had possession of documents and materials from  
24 Gilman Hot Springs relating to you or your husband?

25 A I think that -- after I had consulted with my  
26 attorney, I had received a registered letter from  
27 Mr. Armstrong and a mailing service which I employed. And I  
28 wondered what was Mr. Armstrong sending me a registered

16.3  
1 letter for. And that was in the summer of '82.

2 I then contacted my attorney and asked him --  
3 I knew that Mr. Armstrong had already been giving  
4 depositions or affidavits or something in court cases, civil  
5 cases, against the church.

6 So I undertook to ask my attorney about this  
7 matter. And he was to make inquiries on my behalf to the  
8 church.

9 Q So the first time you learned about the fact  
10 that Mr. Armstrong had possession of personal materials  
11 relating to you and your husband which you say he stole was  
12 in the summer of 1982 shortly before the beginning of this  
13 lawsuit in August of 1982; is that correct?

14 A Yes, other than the specific things that I  
15 had already authorized which were those materials.

16 And then in one of his dispatches here he  
17 mentions certain little things about -- like some -- a  
18 diary about my husband's Orient trip, some poems, essays, a  
19 few other things which I knew I had seen at our house at  
20 Gilman Hot Springs. And I knew what those materials  
21 involved.

22 Q Your testimony now is that you knew in  
23 February of 1980 that he had access to some materials at  
24 Gilman Hot Springs relating to you and your husband; is  
25 that correct?

26 A I am testifying that these things I knew about,  
27 I authorized, and felt that they were all right for him to  
28 have, yes.

6.4  
1           But I did not think that he had actually gone  
2 into my storage at the time because these materials were not  
3 stored in my storage there and materials that I authorized  
4 from the Guardian -- controller's archives, I had actually  
5 seen. They were boxes that had been sent over to me and I  
6 had personally authorized them. And that is simply my testi-  
7 mony.

8           Q       What materials that are currently under seal  
9 came from Gilman Hot Springs that you say you didn't know  
10 about in February, 1980 that he had possession of?

11          A       There are all the things that I have said, but  
12 I'll repeat them again.

13                There were letters to and from my husband to  
14 his mother; this was practically his whole lifetime of  
15 letters, letters to and from my husband to his father which  
16 were all of his collection of letters over his lifetime;  
17 letters to and from my husband to and from his first wife  
18 Polly which covered their entire marriage period.

19                There were letters to and from my husband to  
20 his second wife Sarah that covered their entire marriage  
21 period; letters to and from my husband in relationship to his  
22 son.

23                There were certain manuscripts of my husband;  
24 a book called "Positive Mental Therapy."

25                There were numerous documentations of materials  
26 from a Porto Rican minerals company; numerous documents from  
27 something called Allied something or another which was a  
28 company that he had.

16.5

1                   There were materials in relationship to my  
2 husband's Dianetics Research Foundation; legal memos from  
3 Mr. Weiskirk; legal memos from my husband to Mr. Struckmeyer;  
4 materials about my husband's Alaskan expedition and the  
5 volumes of books that he had done of "The Magician," the  
6 ship that he had gone on; just all sorts of things.

7                   Q           Now, those materials, you didn't know that he  
8 had?

9                   A           No. I never knew he had those.

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17.1

- 1 Q Did you know that he had any personal letters?
- 2 A There were a few things that I had seen at the  
3 house, that were letters that were mentioned there that I had  
4 seen in the house at Gilman Hot Springs.
- 5 Q If you will look at the fifth paragraph of  
6 Exhibit E.
- 7 A Yes.
- 8 Q Incidentally, where were you living in February  
9 1980?
- 10 A I was living in Los Angeles.
- 11 Q So you received this in Los Angeles?
- 12 A I did.
- 13 Q And did you go out to Gilman Hot Springs to see  
14 what Mr. Armstrong had possession of?
- 15 A No, I did not. I also know that Mr. Armstrong  
16 never wrote me and said, "Hey, Mary Sue, I am going into  
17 your storage and I am taking things out of your storage,  
18 and you don't know anything about it. And I am taking 25 or  
19 30 or 40 boxes of your things."
- 20 And, I mean, he could have asked, you know.
- 21 Q You never knew about that?
- 22 A I never knew about that. He never asked me in  
23 any letter.
- 24 I asked him, "Please ask me what you want for  
25 this biography."
- 26 He never wrote me a letter asking me for any-  
27 thing.
- 28 Q Mrs. Hubbard, would you look at the fifth

17.2

1 paragraph?

2 A Yes, I will.

3 Q Do you see the phrase, "Right now I am  
4 assembling whatever data, docs, et cetera, we already have  
5 at SU"?

6 A Right.

7 Q What is "SU"?

8 A SU is the summer headquarters out at Gilman  
9 Hot Springs.

10 Q Was it called the special unit?

11 A It might have been.

12 Q So he is telling you in the first sentence he  
13 is assembling whatever data, docs we already have at Gilman  
14 Hot Springs; is that correct?

15 A Right.

16 Q (Reading:)

17 "In so doing I have made a  
18 number of finds, one of which is an  
19 uninventoried, beat-up box containing R's  
20 diary from his Orient trip."

21 You see that?

22 A Yes, I see that.

23 Q So you knew that in 1980?

24 A I did.

25 Q Poems?

26 A Yes.

27 Q Essays?

28 A Yes.

17.3

- 1 Q (Reading:)
- 2 "And several personal letters
- 3 and other things"?
- 4 A Yes.
- 5 Q Do you see that?
- 6 A Yes, I do.
- 7 Q Now, would you agree this was right at the
- 8 beginning of Mr. Armstrong's beginning this project?
- 9 A Yes.
- 10 Q So right at the very outset he told you that he
- 11 had personal letters; is that correct?
- 12 A That is correct. I knew because I had seen
- 13 these boxed materials out there, so I knew what he had.
- 14 Q When did you see those?
- 15 A I saw them on a visit when I was there to
- 16 Gilman Hot Springs.
- 17 Q When was that?
- 18 A That was late 1979.
- 19 Q And you had gone through all these materials?
- 20 A No, there were some of them out there. My
- 21 husband had them, and they were on the -- like diary of the
- 22 Orient trip. That was on the coffee table.
- 23 Q You have a specific memory of that being on the
- 24 coffee table and not in some boxes?
- 25 A Yes, they were on the coffee table and not in
- 26 some box. I presume somebody else later put them in a box.
- 27 Q Did you go through any box when you were out
- 28 there in late 1979?

17.4

- 1           A       No, I did not.
- 2           Q       You didn't know what was in the boxes?
- 3           A       What box? There was only one box referred to.
- 4           Q       Were there any other boxes?
- 5           A       No, there were just these materials which I
- 6 recognized as having seen from the Gilman Hot Springs house.
- 7           Q       So you don't know what materials he was
- 8 collecting out there; is that your testimony?
- 9           A       Yes. I didn't know what other materials.
- 10          Q       You didn't know?
- 11          A       I didn't know. I assumed that he would ask me
- 12 if he wanted to go through my personal storage, he would ask.
- 13 But there were other materials out there. People had been
- 14 living at Gilman Hot Springs and my husband since 1976, so I
- 15 assumed he was collecting some materials there.
- 16          Q       Well, these several personal letters that are
- 17 referred to, were those in your personal storage?
- 18          A       At that particular time, no.
- 19          Q       Where were they located?
- 20          A       They were located at that time, as I say, in
- 21 the house at Gilman Hot Springs.
- 22          Q       They weren't located in the beat-up box?
- 23          A       No.
- 24          Q       Well, does the letter say that they were
- 25 located in the beat-up box?
- 26          A       (Reading:)
- 27                    "In doing so, I have made a
- 28 number of finds, one of which is an

17.5

1 uninventoried, beat-up box containing  
2 Ron's diary from his Orient trips, poems,  
3 essays, et cetera from his youth and  
4 several personal letters and other things."

5 And I assume from reading that, that means  
6 they were in the beat-up box.

7 Q So they weren't on the coffee table?

8 A No, not at that time.

9 Q Now, how many boxes of personal letters were  
10 out at Gilman Hot Springs, if you recall?

11 A I don't recall.

12 Q And that storage out there is called R  
13 storage?

14 A Yes.

15 Q Did you ever go through that storage?

16 A I packed up that storage and I saw the storage  
17 in this innumerable number of boxes when I was at La Quinta.

18 Q When it was at Gilman Hot Springs, did you ever  
19 go through that storage?

20 A No.

21 Q Now, in 1979, early 1980, were you at Gilman  
22 Hot Springs when shredding was occurring, shredding of  
23 documents?

24 A No, I was not there at that time.

25 Q Do you know anything about the shredding of  
26 documents during that period of time?

27 A No, I don't.

28 Q Would a shredding operation have come under the

7.6

1 domain of the Guardian's office?

2 MR. LITT: Objection; calls for speculation.

3 THE COURT: Well, if you know, you could state. If  
4 you don't, you can so state.

5 THE WITNESS: No, I don't know.

6 Q BY MR. FLYNN: It wouldn't have?

7 MR. LITT: The witness just answered the question and  
8 said she didn't know.

9 THE COURT: I will sustain the objection. She said  
10 she didn't know.

11 Q BY MR. FLYNN: Your testimony is you don't  
12 know whether a shredding operation in 1979, early 1980,  
13 would have come under the domain of the Guardian's office?

14 MR. LITT: Objection; asked and answered.

15 THE COURT: Well, it is clarification; overruled.

16 You can answer.

17 THE WITNESS: At the time -- I think you are asking  
18 me about shredding at Gilman Hot Springs.

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18.1

1 Q Right. I am asking you whether that would  
2 have come under the domain of the Guardian's office to engage  
3 in such an operation.

4 A No.

5 Q It wouldn't have?

6 A No.

7 Q In early 1981, was there any agency within the  
8 Church of Scientology which would have had control over  
9 shredding of documents?

10 A I never heard of anybody having control over  
11 shredding of documents.

12 Q Did you know anything about something called  
13 shredding of church documents?

14 A I know that -- you know, like at some point  
15 within the G.O., like if they were finished with files, old  
16 files, materials, that they shred them. And they shredded  
17 old files that were no longer --

18 Q Did you ever hear of a procedure called  
19 "a vetting hat write-up"?

20 MR. LITT: Your Honor, in the motion in limine the  
21 Court ruled that there was not going to be a wide open dis-  
22 cussion of all of this.

23 Mrs. Hubbard has been asked about shredding at  
24 Gilman Hot Springs. She says she knows nothing about it.

25 This is beyond the scope. If it is impeachment,  
26 I don't know what of. This is improper examination.

27 THE COURT: Well, she has testified about giving  
28 consent and what she gave consent to and what she didn't give

1 consent to and what she believed to be where and what she  
2 didn't believe to be somewhere else.

3 This is cross-examination. Her credibility is  
4 in issue. We did talk about some of those motions, but they  
5 were primarily in the context of a jury trial. And we  
6 wouldn't be doing any of these things in the presence of a  
7 jury.

8 There is no jury here.

9 I don't know what this is leading to. It may  
10 lead nowhere. But I think he can ask the question.

11 Overrule the objection.

12 Q BY MR. FLYNN: Do you know what "vetting hat  
13 write-up" is, Mrs. Hubbard?

14 A I have never seen a vetting hat write-up.

15 Q Do you have any idea what the term means?

16 A I have heard of vetting, yes.

17 Q What is your understanding of what that term  
18 means?

19 A I think it is removing from the files any of  
20 the headings that say to and from, the signatures of dis-  
21 patchers.

22 Q Is that something that the Guardian's office  
23 did?

24 A I believe at one time the Guardian's office  
25 did do some of that, yes.

26 Q Were you the controller when the Guardian's  
27 office was doing that?

28 A I heard about it, yes.



18.3

- 1 Q What was the purpose of vetting, if you know?
- 2 MR. HARRIS: Could we have a time frame, Your Honor?
- 3 MR. FLYNN: 1980-81, Your Honor.
- 4 Q What was the purpose of vetting?
- 5 A '80 and '81, I am not sure I heard about
- 6 vetting in '80 and '81 within the Guardian's office.
- 7 Q Did you know what the term meant in 1980 and '81?
- 8 A Yes, I did.
- 9 Q Was the purpose of vetting to prevent -- well,
- 10 like the government might seize documents and find out
- 11 certain things about the operation of the church?
- 12 A At one time there was a sort of -- well, like
- 13 after the raid upon the church and when the government took
- 14 so many documents, they took about 200,000 documents of
- 15 materials and only used about 200 at trial.
- 16 I know that the church sort of -- well, like
- 17 within the G.O. there was like a paranoia that developed;
- 18 that everyone was afraid of writing anything within the
- 19 Guardian's office because by some -- that the FBI might come
- 20 in and raid and so on.
- 21 So I knew it very early before we clarified
- 22 exactly what the law was all about and what -- like the law
- 23 of conspiracy was about. And so there was some vetting
- 24 done that I was aware of within the G.O.
- 25 Q Did that paranoia that you just described
- 26 exist in early 1980 at Gilman Hot Springs with regard to
- 27 the government seizing documents of the church, if you know?
- 28 A I didn't know that at the time, no.

18.4

1 Q Do you know whether a shredding operation  
2 took place in early 1980 at Gilman Hot Springs?

3 A I don't know.

4 Q You don't know anything about it?

5 A No.

6 Q Now, do you know or have you learned that in  
7 connection with any shredding operation certain materials or  
8 documents from R Storage were collected by a person named  
9 Brenda Black and brought to Gerald Armstrong?

10 MR. LITT: I object to the question of has she  
11 learned.

12 What is the relevance, Your Honor?

13 THE COURT: It is preliminary to some other question.  
14 I'll overrule it.

15 You can answer.

16 THE WITNESS: Subsequently in the course of -- in the  
17 course of this legal case, I learned that Brenda Black had  
18 asked Gerry about some materials, yes, at one point.

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19-1

1 Q Have you talked to Brenda Black about that?

2 A No, I have never talked to Brenda Black about  
3 it.

4 Q Was that the first time you learned anything  
5 about shredding?

6 A That was the first time I learned anything  
7 about shredding, yes.

8 Q And when did you acquire that knowledge?

9 A That must have been at some point in late  
10 '82, something like that.

11 Q Now do you have any understanding as to the  
12 fact that Mr. Armstrong came into possession of documents  
13 and materials from R Storage during a shredding operation  
14 in early 1980?

15 MR. LITT: Your Honor, Mr. Flynn is trying to  
16 establish what Mrs. Hubbard's assessment of basically  
17 evidence in this case is. In Mr. Armstrong's testimony he  
18 can put on testimony as to that. The question is what she  
19 knew during the relevant time period, all of which is prior  
20 to August 1982.

21 If she's heard what Mr. Armstrong may have  
22 testified to, what does that have to do with any of the  
23 issues in this case if she didn't have personal knowledge  
24 of it.

25 THE COURT: Of course, it is irrelevant unless it  
26 is preliminary to some other question.

27 MR. FLYNN: It is preliminary, Your Honor.

28 MR. LITT: Well, can we have an offer as to what

19-2

1 it is preliminary to?

2 THE COURT: We could have had the answer long ago.

3 Would you read the question, please, if you  
4 can find it.

5 (Record read.)

6 Q BY MR. FLYNN: Do you have any understanding  
7 about that?

8 A No, only what has been alleged in the case.  
9 I don't know the facts of it at all.

10 Q After you learned that Mr. Armstrong came into  
11 possession of what he says is in exhibit E from R Storage  
12 at the special unit at Gilman Hot Springs --

13 A Yes.

14 Q -- did you at any time thereafter go out and  
15 examine any of the documents and materials out at Gilman  
16 Hot Springs that he had come into possession of?

17 A I didn't know he had come into any possession  
18 of them other than what is stated there.

19 Q Well you knew he had a beat up, uninventoried  
20 box; is that correct?

21 A That is correct.

22 Q And you knew that there was material relating  
23 to you and your husband in R Storage; is that correct?

24 A Yes.

25 Q Did you ask him where he got the box?

26 A No I made an assumption.

27 Q What assumption did you make?

28 A I made the assumption that after my husband

19-3

1 had left the area, that these possessions had been put in a  
2 box from what I had seen in the Gilman Hot Springs house and  
3 that that was the beat up box that was being talked about.

4 Q When was your understanding as to when your husband  
5 left the area?

6 A My understanding was my husband left the area  
7 in early February 1980.

8 Q Did you ever have any understanding that he  
9 left in March 1980?

10 A No, I didn't.

11 Q Now you filed various declarations in various  
12 courts in the United States; have you not?

13 A Yes.

14 Q And those declarations relate in part to the  
15 fact that you haven't seen your husband since 1979?

16 A Yes.

17 Q And do you have a specific memory today that  
18 your husband left in early February 1980?

19 A Just that it seemed that was about the time  
20 that he left, yes.

21 Q Could it have been March?

22 A In reviewing various data and so on to refresh  
23 my memory, I think it was in February of 1980.

24 Q Let me show you a 28-page declaration you  
25 executed on September 28, 1983.

26 A Right.

27 Q Is that your signature?

28 A Yes, that is.

19-4

1 Q And would you read the first sentence in  
2 paragraph 12 of that declaration?

3 A (Reading:)

4 "Somewhere around March 1980 my husband  
5 again went into complete seclusion."

6 Q Now does that refresh your memory, Mrs. Hubbard,  
7 as to when your husband left Gilman Hot Springs?

8 A No I still believe I am more correct in the  
9 February 1980.

10 Q Well you signed this under pain and penalty  
11 of perjury; did you not?

12 A I did.

13 Q So this affidavit is wrong?

14 A That affidavit is not as correct, no.

15 Q Is it false?

16 MR. LITT: Objection; it is argumentative.

17 THE COURT: Sustained; it is argumentative.

18 Q BY MR. FLYNN: You testified in direct that  
19 your husband is in seclusion; is that correct?

20 A That is correct.

21 Q What do you mean by seclusion?

22 A I mean that he is living privately and personally  
23 and by himself.

24 Q When was the last time you saw your husband?

25 A I have already said late 1979.

26 Q And after that period of time did you ever  
27 appear before a notary public with your husband and execute  
28 any documents?

29 A No, I did not.

20-1

1 Q Have you communicated with your husband since  
2 late 1979?

3 A Yes, I have.

4 Q How have you done that?

5 A I have written him personal letters which I  
6 have addressed in envelopes and put them into my out basket  
7 in my office.

8 Q Is your husband receiving those letters?

9 THE COURT: If you know.

10 THE WITNESS: I don't know, sir.

11 Q BY MR. FLYNN: Did you testify in your  
12 deposition that you don't believe your husband is receiving  
13 those letters?

14 A Yes.

15 Q Is that your belief here in the courtroom?

16 A That is my belief in the courtroom.

17 Q Do you know who is receiving the letters,  
18 Mrs. Hubbard?

19 A No, I don't.

20 Q Do you know whether those personal letters  
21 are being read by members of the church?

22 A No, I don't.

23 Q Do you of anyone that is communication with your  
24 husband?

25 A No, I don't.

26 Q Since late 1979 have you been in communication  
27 with any person who has told you that he is in communication  
28 with your husband?

20-2

1 A No, I have not.

2 Q Well, you have been in communication with your  
3 lawyer; is that correct?

4 A Yes. I have been in communication with my  
5 lawyer.

6 Q You are aware that a declaration of your husband  
7 was filed in the DeWolfe probate proceeding; is that  
8 correct?

9 A Yes. That is correct.

10 MR. FLYNN: May I have exhibits 1 and 2 of the plaintiff,  
11 please?

12 Q Have you seen this handwritten letter of your  
13 husband marked exhibit 1 and dated February 3rd, 1983?

14 A No. I have never seen the original of this.

15 Q You have seen a copy?

16 A I have seen a copy, yes.

17 Q Now, do you know the circumstances under which  
18 that letter came into the possession of your attorney?

19 A No, I do not.

20 THE COURT: I don't think there has been any testimony  
21 that it was ever in the possession of her attorney.

22 MR. FLYNN: To date there has not been, Your Honor.

23 Q Now, do you know whether that handwritten --  
24 do you know who Mr. Lenske is?

25 A Yes.

26 Q Do you know who Mr. Brunell is?

27 A No.

28 Q Do you know that special ink was sent to your



20-3

1 husband to write that letter?

2 A I didn't know at the time. I heard about it  
3 later in the case.

4 Q You knew that special ink was sent?

5 A I just heard about it.

6 Q Do you know whether the special ink was prepared  
7 the day before that letter is dated?

8 A No, I don't.

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1 Q Now, do you know of any way that anyone in the  
2 Church of Scientology communicates with your husband?

3 A No, I don't.

4 Q Are you familiar with a corporation called  
5 Author Services, Incorporated?

6 A Yes, I am.

7 Q And what is your understanding as to what that  
8 corporation is?

9 A That that is a business management firm that  
10 my husband has conduct personal business for him.

11 Q And do you know whether they are in weekly  
12 communication with your husband?

13 A I believe that they must be, that they might  
14 be in communication with him. I know they send him reports  
15 because of affidavits that were filed in this case.

16 Q So your belief is that Author Services,  
17 Incorporated is in weekly communication with your husband?

18 A I don't know weekly and I don't really know.  
19 I have never asked them. I just know what they said in  
20 the affidavit.

21 Q When you write these letters to your husband,  
22 describe how you deliver them or mail them to him?

23 A I write my letter. I put it in an envelope.  
24 I put it in my out basket on my desk.

25 There is a man and his wife who live with  
26 me. He picks it up, the communication from my out-basket,  
27 and then he takes it and he delivers it, as far as I know,  
28 to a mail service.

1 Q What type of a mail service?

2 A One of the public type mailing service where  
3 you can -- you know, that receives mails and telephone  
4 messages for people.

5 Q You mean like Federal Express?

6 A No, like an address -- like a place that performs  
7 services for people. We have them in Los Angeles. I  
8 don't know if you have them in Boston or not, but they  
9 are just a mailing service.

10 People can call them. They leave messages  
11 and they relay messages for people. They will hold your  
12 mail for you and you go and pick up your mail, and that  
13 sort of thing.

14 Q Do you know the name of it?

15 A No, I don't know the name of it.

16 Q What do you put on the envelope that you address to  
17 your husband?

18 A I put on the envelope to R.

19 Q With no address?

20 A No address, no.

21 Q What is the name of the person who delivers  
22 this to the mail service?

23 A His name is Mr. Potter, Neville Potter.

24 Q And where is Mr. Potter located?

25 A Mr. Potter is located here in Los Angeles.

26 Q Can you give me his address?

27 MR. LITT: Objection, your Honor. Mr. Potter lives  
28 with Mrs. Hubbard and we don't want Mrs. Hubbard's address

1 disclosed. We have litigated this issue before in other  
2 cases. We have had rulings that it not be disclosed.

3 MR. FLYNN: If they produce Mr. Potter, it will  
4 be fine.

5 MR. LITT: Are we going to spend time on that in  
6 this case? Does the court want to hear Mr. Potter?

7 MR. FLYNN: It goes to the issue of availability  
8 of Mr. Hubbard.

9 MR. LITT: If the court wants Mr. Potter in --

10 THE COURT: It isn't a question of what I want.  
11 It is a question of what you want to do to avoid disclosing  
12 the address if he wants to raise this issue.

13 MR. LITT: If the court finds that Mr. Potter is  
14 a proper witness and that therefore Mr. Flynn is entitled  
15 to his address, then subject to confirming it with  
16 Mr. Potter, I will represent to the court that we will  
17 make him available in the event that the court permits  
18 the inquiry.

19 THE COURT: Well, at this point that will be the  
20 status of the record.

21 Let's go on to the next question.

22 Q BY MR. FLYNN: Now, Mrs. Hubbard, you don't  
23 believe that your letters are getting to your husband,  
24 but you believe that Author Services, Incorporated is  
25 in communication with him; is that correct?

26 A I can only say what they said, what I know  
27 from what they said in the affidavit, Mr. Flynn, and I  
28 have never spoken to people or Author Services. I have

1 never asked them or anything like that.

2 Q Did you testify earlier in cross-examination  
3 that you don't believe that your husband authorized  
4 Mr. Armstrong to collect the documents to prepare the  
5 biography?

6 A Yes, I did.

7 Q Do you know where Mr. Armstrong's communication  
8 came from in early 1980 relative to that subject?

9 A I am not sure I understand your question.

10 Q Do you know the circumstances under which  
11 your husband may have communicated to Mr. Armstrong that  
12 he was authorized to collect what you say is your personal  
13 documents and letters?

14 A I don't think there was any communication  
15 that authorized him to go into my personal storage. If  
16 there is such a document that says Mr. Armstrong could  
17 go into our personal storage, I haven't seen it.

18 Q Do you know when Mr. Armstrong first petitioned  
19 to collect materials for the biography?

20 A I understand that he did petition and I have  
21 seen subsequently such petition, but I don't have the  
22 petition before me.

23 Q Well, let me show you exhibit 11 in this case.  
24 Have you seen exhibit 11 before?

25 A Yes, I have.

26 Q And in the upper right-hand corner, is that  
27 your notation, "Very good. Approved. Mary Sue"?

28 A Yes, that is correct.

1 Q And what is exhibit 11?

2 A Exhibit 11 is a dispatch from the controller  
3 archives to myself requesting that I go through the contents  
4 of these two boxes and authorize whether or not they are  
5 going to go to Mr. Jerry Armstrong.

6 Q And did you do so?

7 A Yes, I did.

8 Q And what is the date of exhibit 11?

9 A January 1981.

10 Q And what was the purpose of Mr. Armstrong  
11 obtaining authority at that time to have materials from  
12 controller archives?

13 A I don't see any reference to Mr. Armstrong  
14 requesting materials. I only see reference that Mr. Vorm  
15 is requesting of me whether these materials that are my  
16 personal possessions are authorized by me to be given  
17 to Mr. Armstrong for a museum and for use in a biography.

18 Q And you approved that?

19 A Yes, I did. I looked through the materials  
20 myself. I have the two boxes there. I went through them  
21 all and I said yes, that those could go to Mr. Armstrong.

22 Q That is dated January 5, 1980; is that correct?

23 A It is dated that, but the date is incorrect  
24 on this.

25 Q Well, do you know when Mr. Armstrong first  
26 petitioned to gain access to your materials?

27 A He might have petitioned to gain access to  
28 my materials, Mr. Flynn. If there is such a petition

1 requesting to go into my storage, I have not seen it in  
2 the case. I am sorry. I have not seen anything requesting  
3 permission for Mr. Armstrong to enter my storage to obtain  
4 things without my knowledge.

5 Q You haven't seen anything, Mrs. Hubbard?

6 A I told you I haven't seen any request from  
7 him requesting authority to go into my storage. I haven't  
8 seen it and at no time throughout the whole time he was  
9 working on it, I never received any request saying, "Dear  
10 Mary Sue: I would like to go into your storage and I  
11 would like to obtain for use possibly with your permission the  
12 following articles" and so on.

13 He never sent me any materials from my storage  
14 saying, "Dear Mary Sue: Could I please use these for  
15 the biography?"

16 I never had anything like that, so I am not  
17 sure I understand what in the world you are talking about,  
18 Mr. Flynn.

19 Q Well, Mrs. Hubbard, you did see exhibit E  
20 where he said he was going through personal letters on  
21 February 5, 1980?

22 MR. LITT: Objection; that has been asked and answered  
23 about three times now, your Honor.

24 THE COURT: Sustained.

25 Q BY MR. FLYNN: What is your best memory as  
26 to when your husband left to go into seclusion?

27 A My best memory is in February of 1980.

28 Q Did you ever see a petition of Jerry Armstrong

1 to your husband to collect materials for the biography?

2 A I did see one, yes, in the deposition.

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22 1 Q In 1980 before your husband left did you see  
2 this petition?

3 A I never saw this petition.

4 MR. LITT: Is that being marked as an exhibit, your  
5 Honor?

6 MR. FLYNN: It is, your Honor.

7 THE COURT: Mark it next in order, F.

8 Q BY MR. FLYNN: Have you had an opportunity  
9 to read that petition, Mrs. Hubbard, prior to today in  
10 the courtroom?

11 A I only briefly glanced at it in my deposition  
12 earlier in, I guess it was, '83.

13 Q What is the date of that document?

14 A It says January 8, 1980.

15 Q That was a petition to your husband; is that  
16 correct?

17 A Yes. That is what it says.

18 MR. LITT: Your Honor, may I request that if  
19 Mr. Flynn intends to ask Mrs. Hubbard questions concerning  
20 the document, that she be given the opportunity to read  
21 it before she is asked about it?

22 THE COURT: All right.

23 MR. FLYNN: Yes.

24 Q Go ahead.

25 Have you read that, Mrs. Hubbard?

26 A Yes, I have.

27 Q What is the date on that?

28 A The date of that is January 8, 1980.

1 Q Now, that is before the date that you say  
2 your husband left the Gilman Hot Springs area; is that  
3 correct?

4 A I said I thought my husband left in January,  
5 1980. I don't know if it was before or after the date.  
6 I don't know when he left the area.

7 Q Did you testify earlier that he left in early  
8 February, 1980?

9 A Yes.

10 Q Are you changing your testimony now to make  
11 it January, 1980?

12 A I am saying -- yes, January, 1980 is when  
13 he left.

14 Q So you are changing your testimony to January?

15 A I think I already said that having refreshed  
16 my memory, I feel it is more accurate to say that he left  
17 in January, 1980.

18 Q Now, that document which Mr. Armstrong petitioned  
19 to collect the documents dated January 8, 1980 in the  
20 very first paragraph relates to the fact that he is collecting  
21 documents for the biography; is that correct?

22 A He says, "I am petitioning you to be posted  
23 to handle research for a biography."

24 Q Now, is it your testimony that you never saw  
25 that petition?

26 A I never saw this petition until I say, ad nauseam,  
27 I saw it in the deposition of Mr. -- that they were taking  
28 of me in the Armstrong case.

1 Q Would you turn to exhibit E which, I believe,  
2 is in front of you?

3 A Yes.

4 Q Do you see at the top "Re New Post R Biography  
5 Handling"?

6 A Yes.

7 Q You received exhibit E; is that correct?

8 A Yes, I did.

9 Q Now, does the petition dated January 8th talk  
10 about Mr. Armstrong seeking a new post for a biography?

11 A Yes.

12 "I am petitioning you to be  
13 posted to handle research for your biography  
14 and related projects."

15 Q So approximately one month later you knew,  
16 per exhibit E, that Mr. Armstrong was on a new post; isn't  
17 that correct?

18 A Yes.

19 Q Did you authorize the new post for Mr. Hubbard's  
20 biography?

21 A I don't understand what you mean.

22 Q Did you authorize at any time Gerald Armstrong  
23 to collect materials to work on Mr. Hubbard's biography?

24 A I stated -- I don't know why we have to keep  
25 going through this.

26 Where is my answer to Mr. Armstrong?

27 MR. LITT: Exhibit D.

28 Do you have exhibit D in front of you?

1           answer right now. When such comes up,  
2           proper arrangements will have to be made.  
3           He has not interviewed me to date. It  
4           sounds as though you are setting this up  
5           well. And all I ask is that the line be  
6           smooth for checking of data and that there  
7           be no Hill 10's or last-minute emergencies  
8           in data gathering; also that neither Ron  
9           nor I are forced into any interviews without  
10          our express permission."

23 1 Q Now, the question was, Mrs. Hubbard -- I am  
2 glad you read that, but the question was did you appoint  
3 Mr. Armstrong to the new post?

4 A I did not appoint Mr. Armstrong to the new  
5 post.

6 Q You did or did not?

7 A I did not.

8 Q Who did?

9 A I don't know who did. I can only -- I wasn't  
10 present. I don't know. I don't see anything, any answer  
11 from my husband in his handwriting. I don't know who  
12 did.

13 Q You accepted him on that post; did you not?

14 A I accepted him on the post, yes.

15 Q Did your husband have final approval for the  
16 biography?

17 A I understood that he would have final approval  
18 for the biography, yes.

19 Q And would your husband in January 1980 have  
20 had the authority to approve the petition dated January 8, 1980  
21 of Mr. Armstrong to collect the materials?

22 A Well, I am sure he could or he couldn't. I  
23 don't know.

24 Q Now, from January 8, 1980 do you know how  
25 long Mr. Armstrong worked collecting materials for this  
26 biography project?

27 A I know that Mr. Armstrong was making -- was  
28 collecting materials for the project. I know he was traveling

1 around the country and interviewing and seeing people  
2 and buying materials and so on because I used to get the  
3 financial FP for authorization for a lot of this stuff.  
4 It would come through my lines.

5 Q Do you know when Mr. Armstrong left the church?

6 A No, I don't.

7 Q Do you know when Mr. Armstrong stopped working  
8 for your husband?

9 MR. LITT: Objection; assumes facts not in evidence.  
10 There is no testimony that he ever worked for her husband.

11 THE COURT: I will sustain the objection.

12 Q BY MR. FLYNN: Do you know whether Mr. Armstrong  
13 ever worked for your husband collecting these materials?

14 A I don't think Mr. Armstrong worked for my  
15 husband collecting materials, Mr. Flynn. He was an employee  
16 of the church as far as I knew.

17 Q Did you ever sit in on any meetings in which  
18 Mr. Armstrong's status with regard to working for your  
19 husband was discussed between you and Laurel Sullivan?

20 A I never attended any meetings where anything  
21 like this was discussed.

22 Q Did you have any conversations in the early  
23 part of 1980 with Laurel Sullivan relating to the fact  
24 that your husband had approved that January 8, 1980 petition  
25 of Mr. Armstrong?

26 A I asked Laurel at one point whether she knew  
27 whether my husband had actually appointed him and she  
28 said she didn't know but that something had come through

1 written that it was okayed.

2 Q Something had come through from your husband?

3 A Not from my -- she didn't know and I didn't  
4 know.

5 Q Who did it come through from?

6 A Well, we neither one of us knew.

7 Q Well, who was running your husband's affairs  
8 at the time, Mrs. Hubbard?

9 A I knew that there was some messengers on duty  
10 who undertook at times to answer questions in relationship  
11 to things put on my husband's lines.

12 Q And who were they?

13 A I don't know specifically their names at all.  
14 I was not out there.

15 Q Was David Miscavige one of them?

16 A I don't know if he was one at that time or  
17 not.

18 Q Is it your testimony that these messengers  
19 were the ones who approved this biography project?

20 MR. LITT: Objection; asked and answered. She has  
21 said she doesn't know.

22 THE COURT: I will sustain the objection.

23 Q BY MR. FLYNN: Did you testify earlier that  
24 you don't believe your husband approved the biography  
25 project?

26 A I don't believe he -- and this is a personal  
27 belief -- I don't believe he authorized Jerry Armstrong  
28 to be on the biography project.

1 Q Well, then, who did, Mrs. Hubbard?

2 A Well, again, I don't know.

3 Q And do you know how much money he spent over  
4 approximately two years collecting documents?

5 A No, I don't. I didn't add it up.

6 Q Do you know who approved those funds?

7 A I know that they come through on purchase  
8 order lines and I know that when I saw them, it would  
9 be like a certain sum of money that was being requested,  
10 and as part of a lot of other people requesting money.

11 Q A contract was written for the biography;  
12 is that correct?

13 A Yes.

14 Q Let me show you a copy of the contract.

15 I have a copy for your Honor.

16 THE COURT: You want it marked?

17 MR. FLYNN: Please, your Honor.

18 THE COURT: Okay. We are up to G, as in Garrison.

19 Q BY MR. FLYNN: I have a few preliminary questions,  
20 Mrs. Hubbard. You can look the documents over at lunch.

21 You testified on direct that in October 1980  
22 a contract was entered into with Mr. Garrison to write  
23 a book on your husband; is that correct?

24 A Yes.

25 Q And you testified that final approval was  
26 to be in the hand of your husband for the biography; is  
27 that correct?

28 A That was my understanding, not that it was my



1 understanding with the contract but it was my understanding.

2 Q And this contract is about your husband's  
3 biography; is that correct?

4 A I think -- yes, it is.

5 Q In October 1980 were you in communication  
6 with your husband?

7 A No, I was not except as --

8 Q Do you know anyone that was?

9 A No, I do not.

10 Q Do you know whether your husband approved  
11 this contract?

12 A No, I do not know. He is not a party. He  
13 is not a signing party to the contract.

14 Q Well, final approval for the entire contract  
15 and biography lay with your husband; is that correct?

16 A That was my understanding, yes.

17 Q And how was your husband to give final approval  
18 if he couldn't be contacted?

19 A Well, it would just have to wait until he  
20 could give his approval, Mr. Flynn.

21 Q And did you have to wait to get the contract  
22 signed, Mrs. Hubbard?

23 A Well, no one signed. He didn't sign the contract.

24 Q Did you have to get his approval for the contract,  
25 Mrs. Hubbard?

26 A Well, no approval was gotten from him on the  
27 contract. I don't understand what you are asking.

28

24  
1 Q Did you testify on direct examination that  
2 the first four paragraphs of the contract related to the  
3 fact that Mr. Garrison could not invade your husband's  
4 privacy?

5 A No. I simply said that according to my under-  
6 standing, that there were things in the contract in relation-  
7 ship to invasion of privacy in that the work would not  
8 infringe upon any proprietary right of any third party.

9 Q Well, do you know whether your husband requested  
10 that those clauses be put in?

11 A No. I don't believe my husband was -- I don't  
12 believe at the time these -- the contract was being done,  
13 I don't think my husband was being consulted about any  
14 of this.

15 Q It is your testimony now that he didn't even  
16 known about any of these contractual provisions?

17 A My testimony has always been that he didn't  
18 know about these contractual provisions as far as I knew.

19 Q Was your husband's approval required for the  
20 contract, Mrs. Hubbard?

21 A I don't understand what you are asking.

22 Q Did the contract relate to the writing of  
23 the biography?

24 A It related to the writing of the biography,  
25 yes.

26 Q Was your husband's approval required for the  
27 biography, Mrs. Hubbard?

28 MR. LITT: I object. The question is vague.

1 THE COURT: I'll sustain the objection.

2 The agreement speaks for itself.

3 THE CLERK: It was just my understanding --

4 MR. LITT: You don't have a question.

5 Q BY MR. FLYNN: Mrs. Hubbard, it is your testimony  
6 that you don't think your husband knew anything about  
7 the contract?

8 A Well, I never saw anything from my husband's  
9 contract. No.

10 Q Do you know whether or not your husband was  
11 going to make money from the writing of the biography?

12 A Yes. I am sure he was.

13 Q And did you have any estimate as to how much  
14 money he was going to make?

15 MR. LITT: Objection. Irrelevant.

16 THE COURT: Overruled.

17 Q BY MR. FLYNN: Did you have an estimate as  
18 to how much money he was going to make, Mrs. Hubbard?

19 A I don't know how many books would sell. I  
20 have no estimate.

21 Q Did you have any discussion with Laurel Sullivan  
22 about the figure of \$10 million that your husband was  
23 going to make from the biography?

24 A I didn't hear -- I don't recall.

25 Q Did you have any conversations with Laurel  
26 Sullivan about the figure \$10 million that your husband  
27 would make from the biography?

28 A I answered I don't recall any such conversation,

1 Mr. Flynn.

2 THE COURT: We'll take a recess. We'll reconvene  
3 at 1:30.

4 (At 11:58 a.m. a recess was taken to  
5 reconvene at 1:30 p.m., same day.)  
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1 LOS ANGELES, CALIFORNIA, MONDAY, MAY 7, 1984, 1:32 P.M.

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4 THE COURT: All right. In the case on trial, let  
5 the record reflect that the parties and counsel are present.  
6 The witness will retake the stand, please.

7  
8 MARY SUE HUBBARD,  
9 the witness on the stand at the time of the noon recess,  
10 resumed the stand and testified further as follows:

11 THE COURT: Have a seat. State your name again  
12 for the record. You are still under oath.

13 THE WITNESS: My name is Mary Sue Hubbard.

14 THE COURT: You may have a seat and you may continue,  
15 Mr. Flynn.

16 MR. FLYNN: Thank you, your Honor.

17  
18 CROSS-EXAMINATION (Resumed)

19 BY MR. FLYNN:

20 Q Mrs. Hubbard, did you testify this morning  
21 that you don't believe that your husband approved the  
22 petition of Gerald Armstrong to collect materials for  
23 the biography?

24 A Yes.

25 Q Did you file an affidavit in support of a  
26 motion for a preliminary injunction in this case, if you  
27 recall?

28 A I don't recall that, no.

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1 Q Let me show you a document which is dated  
2 January 28, 1983 and ask you if that is your signature on  
3 that document.

4 A Yes. That is my signature.

5 Q Would you read page 10, paragraph 15 of that  
6 declaration?

7 A Yes.

8 Q Did you state in there, " ... that more  
9 particularly, when Gerry Armstrong assumed the post of  
10 personal PRO researcher which included gathering materials  
11 for my husband's biography, he requested of my husband that  
12 that he be assigned to this post"?

13 A Yes.

14 Q Did you say, "My husband approved in general  
15 terms and did not make reference to our personal storage"?

16 A Yes. That is what it says.

17 Q You said that under oath in January of 1983;  
18 is that correct?

19 A Yes, I did.

20 Q That your husband approved of Mr. Armstrong  
21 being the biographer?

22 MR. LITT: Objection. Asked and answered.

23 THE COURT: Sustained. It is argumentative.

24 Q BY MR. FLYNN: Do you have the declaration in  
25 front of you, Mrs. Hubbard?

26 A I do.

27 Q Turn to page 9, paragraph 12, the last  
28 sentence.

26-2

1           A           Yes.

2           Q           Did you say in there, " ... at no time did I  
3 give permission to Gerry Armstrong or to anyone else to  
4 gain direct access to or to copy any of the personal papers  
5 or other items that were taken from our personal storage?"

6           A           Yes.

7           Q           Did you say " ... any of the personal papers"?

8           MR. LITT: Objection. Argumentative; asked and  
9 answered.

10          THE COURT: If that is what it says, that is what it  
11 says, Counsel.

12          Q           BY MR. FLYNN: When you approved the  
13 communication to you of a letter of February 5th, 1980 did  
14 Mr. Armstrong state in there that he had personal letters?

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1 MR. LITT: Objection; it has been asked and answered.  
2 We have covered that.

3 THE COURT: I am sorry. You want to read the question  
4 back.

5 (Record read.)

6 THE COURT: Well the letter speaks for itself.

7 MR. FLYNN: I will withdraw it, Your Honor.

8 THE COURT: It is in evidence.

9 Q BY MR. FLYNN: When you signed this declaration,  
10 you knew that you had approved a petition of Mr. Armstrong  
11 CSW in which he stated that he had personal letters; isn't  
12 that a fact, Mrs. Hubbard?

13 A I don't quite understand your question.

14 Q In your declaration you say that you never gave  
15 him permission to have access to any personal papers; isn't  
16 that correct?

17 A From my personal storage, yes.

18 Q And you approved his petition dated February 5,  
19 1980 in which he stated he had personal letters; isn't that  
20 correct?

21 A Yes, as I said from a box that was materials  
22 from my house.

23 Q When did you first learn of the petition of  
24 Mr. Armstrong to L. Ron Hubbard?

25 MR. LITT: Objection; that has been asked and answered,  
26 I think, about three times already.

27 THE COURT: I am not sure. When did you say that you  
28 had -- you did become aware of the original petition; is that



28-1  
1 right?

2 MR. FLYNN: The original petition, Your Honor, dated  
3 January 8, 1980.

4 THE WITNESS: That was during my deposition in  
5 the case.

6 THE COURT: I think we did go through that before,  
7 Counsel.

8 MR. FLYNN: Just one question, Your Honor.

9 Q That was during your deposition?

10 A Yes.

11 Q That you learned that fact?

12 MR. LITT: Objection, Your Honor. It's been asked and  
13 answered.

14 Q BY MR. FLYNN: In your declaration did you  
15 state that Mr. Hubbard approved of the petition?

16 MR. LITT: Objection. The witness has already  
17 answered that question.

18 THE COURT: Yes, I will sustain the objection.

19 Q BY MR. FLYNN: Did you participate in the  
20 negotiations for the contract, Mrs. Hubbard?

21 THE COURT: With whom?

22 Q BY MR. FLYNN: With PUBS DK and Mr. Garrison.

23 A To a -- yes.

24 Q And whose interest did you represent?

25 A I was representing the church's interest.

26 Q Who represented your husband's interest?

27 A He had an attorney that was hired by him was  
28 representing his interest, hired not by him but by an attorney.

27-3

1 Q And who was that attorney?

2 A I think the attorney's name was Mr. Wertheimer.

3 Q Wertheimer?

4 A Wertheimer.

5 Q And who hired Mr. Wertheimer?

6 A Laurel Sullivan.

7 Q And did Laurel Sullivan in your understanding

8 at that time represent your husband's interest?

9 A No I understood Mr. Wertheimer was on the

10 contract.

11 Q And who authorized Laurel Sullivan to represent

12 Mr. Wertheimer?

13 THE COURT: I think you misspoke yourself. Do you

14 want to read the question.

15 (Record read.)

16 MR. FLYNN: You are right, Your Honor, thank you.

17 Q Who authorized Laurel Sullivan to hire

18 Mr. Wertheimer?

19 MR. LITT: Objection; assumes facts not in evidence.

20 Assumes facts not in evidence that Laurel Sullivan hired him.

21 THE COURT: I suppose it is his word. He apparently

22 was retained.

23 I will sustain the objection to the form of the

24 question.

25 Q BY MR. FLYNN: Who authorized Laurel Sullivan

26 to retain Mr. Wertheimer?

27 MR. LITT: Same objection. There's been no testimony

28 as to whether or not Mrs. Hubbard knows who retained

27-4

1 Mr. Wertheimer.

2 THE COURT: Well, if she knows, she can answer. She  
3 did say something. I believe Miss Sullivan brought him in  
4 or retained him or something.

5 You can answer if you know.

6 THE WITNESS: Well to the best of my belief, I think  
7 she did.

8 THE COURT: The question was who authorized her to  
9 do this on behalf of either Mr. Hubbard or the church, I  
10 guess, if you know.

11 THE WITNESS: I don't know.

12 Q BY MR. FLYNN: What post did she have, Laurel  
13 Sullivan, in 1980-1981?

14 A She had the post of senior personal PRO,  
15 personal public relations.

16 Q And what office did she work in, if you know?  
17 Was there a title to it?

18 A I don't know.

19 Q Did she work in the L. Ron -- strike that.  
20 Have you ever heard the term the L. Ron Hubbard  
21 personal office?

22 A No, I have not heard that term.

23 Q Did you review the documents that are under  
24 seal?

25 A I did.

26 Q Did you see any documents in there relating  
27 to the L. Ron Hubbard personal office?

28 A I don't recall.

27-5

1 Q Do you claim that all the documents under seal  
2 belong to you, Mrs. Hubbard?

3 A A majority of them.

4 Q Are there any documents under seal relating  
5 to the personal office of L. Ron Hubbard that you claim you  
6 own?

7 MR. HARRIS: Well, that assumes a fact not in  
8 evidence, to wit: That there are such.

9 THE COURT: I will sustain the objection to the form  
10 of the question.

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1 MR. FLYNN: I'll be getting into the sealed documents,  
2 Your Honor, in a little bit.

3 Q Are there any documents under seal that you are  
4 claiming that you own, Mrs. Hubbard?

5 A I can't say that.

6 Q Do you currently have possession of any of  
7 the documents that you claim are personal and private documents  
8 relating to your husband from Controller's Archives that  
9 are not under seal?

10 A No. I don't have any in my personal possession.

11 Q Do you know where they are?

12 A Not of direct knowledge.

13 Q When was the last time you issued any instructions  
14 to anyone with reference to the possession of any documents  
15 from Controller's Archives that you claim are the personal  
16 property of you and your husband?

17 A In late October, 1982.

18 Q Late October, 1982?

19 A Yes.

20 Q Who did you give those instructions to?

21 A To my attorney to write the church a letter  
22 telling them to secure my own personal possessions and put  
23 them under lock and key.

24 Q Do you know who currently has possession of  
25 the Controller's Archives that are not under seal?

26 A No, I don't.

27 Q Have you ever heard of an organization called  
28 The Church of Spiritual Technology?

28-2

1 A No.

2 Q Do you know whether they have possession of  
3 your husband's archives?

4 A No, I don't.

5 Q Do you know an individual named Lyman Spurlock?

6 A Yes.

7 Q Do you know whether Mr. Spurlock is exercising  
8 any supervision or control over your husband's archives?

9 A I don't know.

10 Q Do you know where Mr. Spurlock works?

11 A I thought he worked at Author Services Incorporated.

12 Q Do you know whether Author Services is a  
13 private profit-making organization?

14 MR. LITT: Objection. This was discussed this morning.  
15 The witness has answered that question, I believe.

16 THE COURT: I don't recall this specific one.

17 You may answer if you know. If you don't, you  
18 may so state.

19 THE WITNESS: I don't know, Your Honor.

20 Q BY MR. FLYNN: You testified this morning  
21 that the diary and several personal letters were laying on  
22 a coffee table in the house at Gilman Hot Springs; is that  
23 correct?

24 A Yes.

25 Q And the last time that you saw that was in  
26 late 1979?

27 A Yes.

28 Q Who was in charge of the house in 1979 that

28-3

1 your husband lived in?

2 MR. LITT: Objection. Ambiguous.

3 Is this referring to the house at Gilman Hot  
4 Springs, or where Mr. Hubbard was actually residing at the  
5 time?

6 THE COURT: I assume it was the house where the book  
7 was, the diary that she said she saw.

8 MR. FLYNN: That is correct, Your Honor.

9 Q Who was in charge of that house?

10 A I don't know the person in charge of that  
11 house.

12 Q Have you ever heard of the term "Household  
13 Unit"?

14 A Yes.

15 Q What was the Household Unit in 1979?

16 A This was a group of people that were looking  
17 after the personal property and the house down there in  
18 Gilman Hot Springs.

19 Q Did they have authority to look after the  
20 personal property and the house at Gilman Hot Springs?

21 A They were looking after it, yes.

22 Q Did they have authority from your husband  
23 to do so?

24 A Yes.

25 Q And this diary was lying on a table; is that  
26 correct?

27 A Yes.

28 Q And after that point in time did you ever

28-4

1 return to Gilman Hot Springs; namely, late 1979 when you  
2 saw the diary?

3 A No, I never returned to Gilman Hot Springs.

4 Q Was it left in charge of the people who were  
5 in charge of the Household Unit?

6 A I assume so. I presume so. I don't know.

7 Q Would your husband have had supervisory  
8 authority between December, 1979 and January, 1980 over  
9 his house at Gilman Hot Springs?

10 A I don't know.

11 Q You don't know that Gerald Armstrong was in  
12 charge of the Household Unit, Mrs. Hubbard?

13 A I don't know that.

14 Q So if he was in charge of the Household Unit,  
15 he was in charge of the personal property at Gilman Hot  
16 Springs?

17 A I don't know that.

18 Q What role did you play in the contract  
19 negotiations relating to the contracts between PUB DK and  
20 Omar Garrison?

21 A Looking over the final draft of the contract  
22 and more or less giving final authorization for the contract.

23 Q And you gave final authorization for the  
24 church for the contract?

25 A Yes.

26 Q Well, the church wasn't a party to the contract,  
27 was it?

28 A The church in DK was.



1 Q What church in DK?

2 A AOSH PUB DK.

3 Q Was PUB DK controlled by the Church of  
4 Scientology of California?

5 MR. LITT: I object to the term "controlled." What  
6 does that mean?

7 Are we talking about religion, inter-relationships,  
8 or --

9 THE COURT: I'll sustain the objection in the context  
10 of this case.

11 You may reframe the question.

12 Q BY MR. FLYNN: Did you testify on direct  
13 examination that the PUB DK was related to the Church of  
14 Scientology of California?

15 A I don't recall that I testified that.

16 Q Are the two related?

17 A Well in that they all deal with Scientology.  
18 But corporately, they are separate entities.

19 Q Who represented the interests of PUB DK at  
20 these contract negotiations?

21 A PUB DK was part of the DK church there.

22 Q Who was the board of directors of the PUB DK  
23 church if you know during the period of the contract  
24 negotiations?

25 A I don't recall at the moment.

26 Q When the contract was entered into did PUB DK  
27 know about it?

28 A I don't know that.

28- 6

1           Q           You don't know whether the corporation PUB DK  
2 kne. that it entered into a contract with Garrison for the  
3 biography on your husband?

4           A           I have no direct knowledge of it. I was not  
5 in PUB DK.

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1 Q Well, who was representing the interests of  
2 PUB DK?

3 A I don't know.

4 Q How many people participated in these contract  
5 negotiations?

6 A I wasn't present during that. I don't know.

7 Q Would you describe to the court how you  
8 represented the interests of the church if you weren't present?

9 A The final contract was sent to me, Your Honor,  
10 for my final authorization, whether it was okay or not okay,  
11 and I simply said okay.

12 Q Do you know who drafted it?

13 A No.

14 Q Do you have any knowledge of a contract between  
15 PUB DK and your husband for royalties from the biography?

16 A Yes.

17 Q And whose interests did you represent in the  
18 negotiation of that contract?

19 A My husband's.

20 Q And you had a power of attorney to do that;  
21 didn't you, Mrs. Hubbard?

22 A No.

23 Q Did you have a power of attorney?

24 A No.

25 Q Have you read that contract?

26 A At one time I did see a draft contract of  
27 it.

28 Q Have you ever seen an executed contract between

1 PUB DK and your husband?

2 A Not to my recollection, no.

3 Q What was your understanding as to how royalties  
4 were going to be paid to your husband in connection with  
5 royalties on the biography after they came into PUB DK?

6 MR. LITT: Objection; what is the relevance of her  
7 understanding on this issue?

8 THE COURT: I don't know. What is the relevance,  
9 Counsel?

10 MR. FLYNN: The relevance, Your Honor, is that the  
11 contract between PUB DK and Omar Garrison provides or the  
12 testimony of the witness is that she and her husband  
13 had final approval over all the contractual items in that  
14 contract and over the approval of the biography.

15 MR. HARRIS: That misstates the evidence, Your Honor.  
16 She said they had approval of the final biography. Didn't  
17 say anything about approval of the contract.

18 MR. FLYNN: She approved it, Your Honor.

19 THE COURT: Well, the word "final" may be ambiguous,  
20 but she said it was submitted to her and she reviewed it  
21 and approved it; am I correct?

22 THE WITNESS: Yes, sir, but I think he said my husband  
23 and I, and just I -- I said final okay.

24 THE COURT: You had final okay.

25 Q BY MR. FLYNN: And your husband had final  
26 approval on the biography itself?

27 A On the written biography. That was my under-  
28 standing that he would see it, yes.

29-3

1 Q Would you explain how the royalties were to be  
2 paid from PUB DK to your husband.

3 MR. LITT: Same objection I made before. What is  
4 the relevance of that?

5 THE COURT: What is the relevance, Counsel?

6 MR. FLYNN: The relevance, Your Honor, is that the  
7 only manner in which Omar Garrison could be paid pursuant  
8 to this contract was for L. Ron Hubbard to approve the  
9 biography. If he never approved the biography, then he  
10 would never get paid.

11 On the other hand, if it did get approved by  
12 L. Ron Hubbard and he got paid, he was to get paid a  
13 percentage of the royalties and the percentage of those  
14 royalties related to the contract between PUB DK and  
15 L. Ron Hubbard.

16 THE COURT: I still don't see what it's got to do with  
17 our case here. It may all be true.

18 MR. FLYNN: If L. Ron Hubbard is the final arbiter  
19 of what is to be done with the document or what is to be done  
20 with the biography, then that contract is relevant to find  
21 out what the contractual agreement was between L. Ron Hubbard  
22 and PUBS DK on the documents.

23 THE COURT: I assume you have got the contract if there  
24 are any contracts.

25 MR. FLYNN: They have never been produced, Your Honor.

26 THE COURT: This witness isn't apparently privy to any  
27 such agreement, so I don't see what the royalty arrangement  
28 has to do with what the other terms of the contract might be.

29-4

1                   You may ask your next question. I will sustain  
2 the objection.

3           Q       BY MR. FLYNN: You mentioned certain legal  
4 memos that were in the Controller Archives; is that correct?

5           A       I did.

6           Q       And you mentioned the name Mr. Baudin; is that  
7 correct?

8           A       Yes.

9           Q       Were the Baudin memos in the Controller Archives?

10          A       No.

11          Q       Where were they located?

12          A       They were located in Gilman Hot Springs.

13          Q       Where in Gilman Hot Springs?

14          A       Among my husband's papers there.

15          Q       Now are you familiar with a document called  
16 the Baudin Pick-Up Project?

17          A       No.

18          Q       You testified that your husband is in seclusion;  
19 is that correct?

20          A       Yes.

21          Q       When you were the controller in 1980 and 1981  
22 did you participate in any operations to conceal your husband  
23 or hide him from process service?

24          MR. HARRIS: "Operations", Your Honor? Vague.

25          THE COURT: All right. I will sustain the objection.

26          Q       BY MR. FLYNN: Did you do anything in 1980 or  
27 1981, Mrs. Hubbard, to try to conceal your husband?

28          A       Well, my husband left in February of 1980.

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1 I haven't seen him since.

2 Q The question is did you do anything to conceal  
3 him?

4 A I don't understand your question. If he is not  
5 there, I can't conceal him. I am sorry. Could you rephrase  
6 your question.

7 Q Prior to 1980, between 1978 and 1980, as  
8 controller did you write up any plans or projects within  
9 the Guardian's Office to conceal your husband?

10 A No, I never wrote anything like that.

11 Q Between 1975 and 1980 did you write up any  
12 plans or projects to conceal your husband?

13 MR. LITT: Your Honor, at this point what does the  
14 relevance of what happened in 1975 have to do with the  
15 case?

16 THE COURT: Well I don't know.

17 MR. FLYNN: It is a continuing -- Your Honor, they  
18 have been hiding Mr. Hubbard as the Federal District Court  
19 in Tampa has ruled --

20 THE COURT: Well I am not the Federal District Judge,  
21 and what he might or might not have ruled is what he saw on  
22 matters before him. If there is any inferences that can be  
23 drawn by the fact that he doesn't appear, I will draw those  
24 at the appropriate time. At this point I don't see what the  
25 relevancy is in this regard on this subject as to what  
26 happened maybe 10 years ago.

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1 MR. FLYNN: Well, it has to do with availability,  
2 Your Honor, for purposes of, among other things, the letter.  
3 But in any event, I'll withdraw the question.

4 THE COURT: Okay.

5 Q BY MR. FLYNN: Mrs. Hubbard, have you ever been  
6 in charge in connection with your duties as controller of the  
7 public relations of L. Ron Hubbard?

8 A Yes.

9 Q And when were you in charge of the public  
10 relations relating to L. Ron Hubbard?

11 A I was never in charge of them.

12 Q What duties did you have?

13 A In the Guardian's Office we had certain  
14 public relations functions.

15 Q What were they?

16 A They had to do mainly with handling public  
17 relations with the media, with the government officials,  
18 with port officials, that sort of thing.

19 Q What types of public relations issues?

20 A Matters that -- in relationship to the church,  
21 mainly church matters. And, of course, whenever there were  
22 relations with church matters, handling any sort of queries  
23 that might arise from reporters and media.

24 MR. FLYNN: Your Honor, may I have access to the  
25 sealed documents?

26 THE COURT: We can wheel them in here.

27 MR. LITT: Your Honor, we would renew our objection.

28 Mrs. Hubbard did not use any of the documents.



30-2

1 The court is fully aware of our position on this. I don't  
2 see that, at least without some offer as to what its  
3 relevancy is within the cross-examination on this case based  
4 upon the direct that has been presented.

5 THE COURT: Well, she purports to be the owner or  
6 have a right to possession of some of these documents. And  
7 I have no reason not to believe that counsel is proceeding  
8 in good faith.

9 If she has a particular document that he can  
10 identify for the record, he can so advise the clerk. He has  
11 got a group of documents here that he can refer to at least  
12 preliminarily solely by the letter and deal with the next  
13 question when we get to it.

14 MR. LITT: Thank you, Your Honor.

15 MR. HARRIS: Is it the question of ownership, Your  
16 Honor, that these are being --

17 THE COURT: I don't know exactly what he has in mind.  
18 But certainly, anything relating to the witness's credibility,  
19 ownership, right to possession, all of these issues are  
20 involved in this witness's testimony.

21 Let's take one step at a time.

22 MR. FLYNN: The first one should be a brief biography  
23 of L. Ron Hubbard, Your Honor.

24 THE COURT: All right.

25 Give it to counsel.

26 MR. LITT: May we see the document before it is handed  
27 to the witness?

28 THE COURT: Certainly. But I believe you had already

30-3  
1 had access to these things, Counsel.

2 MR. LITT: We have, Your Honor, but we would like to  
3 take a quick look so we'll know what we're dealing with.

4 MR. HARRIS: It is rather voluminous, Your Honor.

5 THE COURT: I think we should probably mark it for  
6 identification. It will be H for identification only.

7 Q BY MR. FLYNN: Have you seen that exhibit H  
8 before, Mrs. Hubbard?

9 A No, I have not.

10 Q Did you testify that you went through the  
11 documents under seal?

12 A Yes.

13 Q And when you went through the documents you  
14 did not see that one?

15 A No.

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1 Q Have you ever seen that document before?

2 A No.

3 Q Do you make any contention that that is a  
4 private or personal document of you or L. Ron Hubbard's?

5 A I don't know whose personal document it is.

6 THE COURT: Well, I gather your answer is no?

7 MR. LITT: Well, Your Honor, if I may, I think there  
8 is a difference between the "I don't know" and "No," because  
9 how all these documents came into the possession of  
10 Mr. Armstrong is not necessarily clear to Mrs. Hubbard, so  
11 that there may be documents that she is entitled to without  
12 her knowledge of the specifics.

13 THE COURT: Well, I suppose there is merit to your  
14 point. A person could be lawfully entitled to community  
15 property, for example, and not be aware that he may have it.

16 So, I will sustain the objection to the form  
17 of the question.

18 Q BY MR. FLYNN: Did you testify on direct  
19 examination that L. Ron Hubbard stole the documents under  
20 seal?

21 MR. LITT: Objection.

22 THE COURT: You got your names mixed up. You said  
23 L. Ron Hubbard.

24 Q BY MR. FLYNN: Did you testify on direct that  
25 Mr. Armstrong stole the documents under seal, Mrs. Hubbard?

26 A Yes.

27 Q Do you claim that he stole that document?

28 A I don't know that he stole this particular

31.2

1 document because I don't know whether it was in my storage or  
2 not.

3 Q Have you ever read that document before?

4 A No, I have not.

5 Q Do you know whether or not that document has  
6 been continuously used for 30 years to promote your husband?

7 A No, I don't know that.

8 Q Have you ever seen a publication called "PRO  
9 NEWS"?

10 A No, I have never seen this.

11 Q Have you ever seen any biographical sketches of  
12 your husband?

13 A On book jackets. I have seen some on book  
14 jackets.

15 Q You have never seen "PRO NEWS"?

16 A No.

17 MR. HARRIS: That is what she said, Your Honor; asked  
18 and answered.

19 THE COURT: All right.

20 Q BY MR. FLYNN: Now, well, are you claiming that  
21 exhibit, the exhibit before you, that came from the sealed  
22 documents is a private or personal document of you or your  
23 husband?

24 MR. LITT: Objection; I think that question was asked  
25 and answered.

26 THE COURT: You asked before whether she contended.  
27 Now it is a question whether she claims it. I will overrule  
28 the objection. There may be a difference.

31.3

1 THE WITNESS: I don't know.

2 Q BY MR. FLYNN: You don't know whether it is or  
3 not?

4 A I don't know whether he took it from my storage  
5 or not.

6 Q Are you familiar with the background of your  
7 husband?

8 A Generally.

9 Q And in connection with the Guardian's office  
10 public relations duties that you were involved in, did you  
11 promote the reputation of your husband?

12 A Not generally speaking, no. That was -- we  
13 mainly were dealing with governments and media in relationship  
14 to church activities.

15 Q So you didn't promote his reputation?

16 A The question was --

17 THE COURT: She did say something about in a general  
18 way.

19 Q BY MR. FLYNN: Well, are you familiar with the  
20 claims that your husband has made about his biographical  
21 background?

22 A No, I am not.

23 Q You are not familiar with any of those claims?

24 MR. LITT: Objection. As asked, it is impossible for  
25 the witness to answer. This is 30 years of marriage, Your  
26 Honor.

27 Q BY MR. FLYNN: Well, looking at the exhibit in  
28 front of you --

31.4  
1 THE COURT: Wait a second. There is Exhibit H and  
2 there is this PRO thing that you put up there that hasn't  
3 been marked.

4 MR. FLYNN: Exhibit H.

5 THE COURT: With reference now to Exhibit H -- that is  
6 it there.

7 Q BY MR. FLYNN: If you start under the para-  
8 graph that starts, "Hubbard, Lafayette Ronald"; do you see  
9 that?

10 "Author-Explorer. Born Tilden, Nebraska."

11 A Yes.

12 Q Was your husband an author?

13 MR. LITT: Objection. Your Honor, this is completely  
14 beyond the scope of Mrs. Hubbard's examination. Mr. Flynn  
15 is now apparently going to try to establish his affirmative  
16 defense that the Court has indicated it will permit.

17 THE COURT: I suppose it is outside the scope,  
18 counsel.

19 MR. FLYNN: She claims that these documents were  
20 stolen. She claims she has a personal and private interest  
21 in the documents. I am going to go through the documents  
22 and find out whether she claimed that anything that is  
23 immaterial is private and personal.

24 THE COURT: Well --

25 THE WITNESS: I don't know if this was mine or not.

26 THE COURT: Well, I am going to sustain the objection  
27 as to this particular exhibit. She apparently has no  
28 knowledge about it.

31.5

1 Q BY MR. FLYNN: Aside from the exhibit, do you  
2 have any knowledge about whether your husband claimed to be  
3 an explorer?

4 MR. LITT: Objection; same objection, Your Honor. It  
5 is beyond the scope of Mrs. Hubbard's direct testimony.

6 THE COURT: Sustained.

7 Q BY MR. FLYNN: When you revealed the sealed  
8 documents, Mrs. Hubbard, did you find any documents that  
9 related to whether or not your husband was an explorer?

10 MR. LITT: Same objection.

11 THE COURT: Well, overruled. She's asserted a  
12 certain proprietary interest in these examinations. Cross-  
13 examination.

14 THE WITNESS: Does that mean I answer?

15 THE COURT: Yes.

16 THE WITNESS: There were certain materials bearing  
17 relationship to expeditions, yes, that were -- yes.

18 Q BY MR. FLYNN: Do you consider those to be  
19 private and personal?

20 A Yes.

21 Q Do you consider them to have historical interest?

22 A Possibly.

23 Q Did you ever speak to Omar Garrison about  
24 what documents under seal would possibly be of historical  
25 interest?

26 A No.

27 Q Does the fact that your husband claimed that  
28 he was a graduate of George Washington University relate to

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private and personal matters between you and your husband?

MR. LITT: Objection; assumes facts not in evidence, and it is beyond the scope.

THE COURT: I will sustain the objection.

Q BY MR. FLYNN: Are you aware of any claim that your husband ever made that he was a graduate of George Washington University?

MR. LITT: Objection; beyond the scope.

THE COURT: Sustained.

Q BY MR. FLYNN: Are there any documents under seal, Mrs. Hubbard, relating to the academic background of your husband that you claim a personal or private interest in?

A I didn't see academic material that I recall. There were so many. I don't know.

32



32.1

1 Q So your testimony is you don't know whether  
2 there are any documents under seal that you claim a public  
3 or private interest in relating to his private background;  
4 is that right?

5 MR. LITT: Objection. The witness just answered the  
6 question. It is a restatement.

7 THE COURT: I'll sustain the objection.

8 Q BY MR. FLYNN: Are there any documents under  
9 seal that you claim are private and personal that relate to  
10 your husband's naval career?

11 MR. HARRIS: Your Honor, I'll object to the line of  
12 questioning.

13 The theory of this that Mr. Flynn has put  
14 forward has to do with that man's state of mind. And that  
15 man's state of mind he can testify to. And if it is  
16 reasonable, maybe the documents could be used for that  
17 purpose.

18 But to try to get the documents in through this  
19 witness in respect to a possessory or ownership claim in  
20 respect to what the contents of the document is is wholly  
21 wrong, given the status of the case and the fact that the  
22 documents are now under seal.

23 This lady is a victim. And if that man is  
24 allowed to put in through her what the contents of the  
25 documents are, her entire privacy interest is lost.

26 Let Mr. Armstrong get up and tell Your Honor  
27 what his state of mind is and lay the precedent foundation  
28 for admission of any of these documents. This is not right.

32.2

1 MR. FLYNN: Your Honor, that is not what I am doing.

2 MR. HARRIS: What in the world is he doing, Your  
3 Honor? Would you ask him?

4 MR. FLYNN: What the witness testified on direct was  
5 that the documents under seal are private and personal and  
6 she was mentally raped by Mr. Armstrong going through the  
7 documents.

8 I am going to go through the documents and ask  
9 her whether that document caused her to be mentally raped.

10 THE COURT: Overruled.

11 Q BY MR. FLYNN: Were you mentally raped by the  
12 biography sketch of L. Ron Hubbard?

13 A No.

14 Q Were you mentally raped by the fact that your  
15 husband's grades from George Washington University are under  
16 seal in this court?

17 MR. HARRIS: That assumes a fact not in evidence.

18 MR. FLYNN: I'll go through each one of them. I'm  
19 trying to save time.

20 MR. HARRIS: Is the theory now that Your Honor will  
21 allow Mr. Flynn to question this witness about the contents  
22 of each of the documents?

23 THE COURT: There is nothing about the content here.  
24 He is talking about identifying some documents.

25 The witness has testified about emotional  
26 distress and her damages. And counsel has the right to  
27 cross-examine on that. At this point he is just, I gather,  
28 referring generally to some of these particular documents here.

32.3

1 MR. FLYNN: I'll have to go through a few, Your Honor.

2 MR. LITT: Your Honor, could we have an agreement  
3 that the reference is going to be by reference to the exhibit  
4 list? I thought that was the understanding.

5 THE COURT: At least preliminarily, until there is  
6 some reason to go into the substance of what is involved, it  
7 should be referred to by this descriptive list.

8 MR. LITT: I'll provide Mrs. Hubbard with a list.

9 Does the Court have one?

10 THE COURT: Yes, I have one.

11 Q BY MR. FLYNN: Starting with A, Mrs. Hubbard --

12 THE COURT: You have got that already.

13 Q BY MR. FLYNN: You weren't mentally raped by  
14 a biography of L. Ron Hubbard?

15 A No.

16 MR. LITT: These are references, not to be marked  
17 exhibit letters, but to the exhibit letters as they are  
18 reflected from the defendant's exhibit list from documents  
19 under seal?

20 THE COURT: That's right.

21 Q BY MR. FLYNN: Going down to H -- the other  
22 documents are books that are not under seal that we intend  
23 to introduce in evidence.

24 Going down to H, "flag divisional directive  
25 69R 8 March '74. Facts about L. Ron Hubbard. Biographic  
26 sketch."

27 Were you mentally raped by that?

28 A No.

32.4

1 MR. LITT: I thought we were simply going to make  
2 reference to the letter, Your Honor.

3 THE COURT: I see no problem with a brief description.  
4 There is nothing about that that does anything more than  
5 identify it for the record.

6 Q BY MR. FLYNN: I, "Tomkins biographical  
7 summary 6 June '72."

8 Were you mentally raped by that?

9 A No.

10 Q J, "2,000 men of achievement. 1971. Hubbard  
11 biographical summary."

12 Were you mentally raped by that?

13 A I don't know what that is.

14 MR. FLYNN: May I show it to the witness, Your Honor?

15 THE COURT: All right.

16 THE WITNESS: No.

17 THE COURT: Return it to me. I'll give it back to  
18 the clerk.

19 Q BY MR. FLYNN: K, "Hubbard resume (5 pages)."

20 Were you mentally raped by that?

21 MR. LITT: Your Honor, could we have a procedure  
22 whereby Mrs. Hubbard is first asked whether she knows the  
23 document? This is a long list of documents.

24 THE COURT: I know. But, on the other hand, the  
25 witness has been through these.

26 Rather than do these one by one, why don't we  
27 take a ten-minute recess, and you go over this list, ma'am,  
28 during this recess, and you can tell us when we resume

1 whether any of these particular documents which have been  
2 identified here are documents which relate to your damage  
3 claim or your state of mind causing you emotional distress.

4 You might also, I suppose, in the interest of  
5 saving time -- the plaintiff maybe has a list. I don't  
6 know.

7 MR. LITT: We do have a list, Your Honor.

8 THE COURT: Go over that, also.

9 We'll take a short recess.

10 And as soon as you have got that under  
11 control, we'll resume.

12 (Recess.)

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1 THE COURT: All right. We are back in session.

2 The witness may retake the stand.

3 Just state your name again for the record. You  
4 are still under oath.

5 THE WITNESS: My name is Mary Sue Hubbard.

6 THE COURT: I understand through the clerk apparently  
7 it is going to take a while to go through these; is that  
8 right?

9 MR. LITT: That is correct, Your Honor.

10 THE COURT: Could you go on to some other subject,  
11 Mr. Flynn, and then come back tomorrow morning, and probably  
12 they can go over that entire list that they have prepared  
13 of an inventory of sealed documents?

14 MR. LITT: Yes, we could do that.

15 THE COURT: And identify their documents that they  
16 attribute emotional distress to.

17 MR. FLYNN: That is fine, Your Honor.

18 Q Let me ask you this today, Mrs. Hubbard.  
19 Before going through all of the documents on the list in  
20 detail, can you think of one document that caused you to be  
21 mentally raped?

22 A Yes.

23 Q And which documents?

24 A There was my personal letters from my husband  
25 to myself from '66 and in '67.

26 Q And these personal letters, what in them  
27 caused you to be mentally raped that was divulged?

28 A It was not so much the content in them, which

1 was personal private. It was the fact that these had been  
2 taken without my authority and without my permission, and  
3 there is personal letters from my husband to me.

4 Q Isn't it a fact that those personal letters  
5 represent business correspondence between you and your  
6 husband in running the Church of Scientology?

7 A Not entirely, no; some parts, yes.

8 Q 99 percent of them relate to transfers of  
9 funds between bank accounts; isn't that basically true?

10 A I can't say that. I don't remember percentage.

11 Q Well, what percentage would you say?

12 A I never estimated percentage.

13 Q Your testimony is that it is not the contents,  
14 but it is the fact that --

15 A Well, it is --

16 Q -- that the documents were in possession of  
17 Mr. Armstrong; is that correct?

18 A These are letters, personal letters from my  
19 husband to myself, and I did not authorize anyone to read  
20 through them or have them. That is all I can say. The  
21 contents are personal.

22 Q Can you name the personal nature of any or  
23 identify the personal nature of any contents other than  
24 business correspondence?

25 A Yes.

26 Q What?

27 A There was personal information about how he was  
28 doing, how he was feeling. There was affection expressed

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toward myself, information about my children.



34-1

1 Q Can you give me anything specific, Mrs. Hubbard?

2 MR. LITT: Objection, Your Honor.

3 THE COURT: I'll sustain the objection.

4 Q BY MR. FLYNN: Isn't it a fact that your  
5 husband -- isn't it a fact that your husband signed most  
6 of his letters "love" to everyone?

7 THE COURT: Do you mean that is how he signed it,  
8 the words, or all of his letters were signed "love"?

9 Q BY MR. FLYNN: Most of his letters were signed  
10 "love"; isn't that correct?

11 A I would -- yes.

12 Q So he was showing personal affection to  
13 virtually everyone he communicated with; isn't that correct?

14 A I don't know. I am sorry. I am confused?

15 Q Did your husband make it a practice to sign his  
16 letters "love"?

17 A Do you mean to other people?

18 Q To other people.

19 A Oh, on occasion, yes. I have seen some.

20 Q Now, when you sent these letters to your husband,  
21 were they mailed?

22 A I don't know what you are talking about.

23 Q Did anyone else have access to reading these  
24 letters over the years when they were written?

25 A Do you mean the ones under seal?

26 Q Correct.

27 A No.

28 Q No one; is that your testimony?

4-2

1 A Not to my knowledge, no.

2 Q The letters you are writing now to your husband,  
3 do they have personal matters in them?

4 A Yes.

5 Q And your testimony is your husband is not getting  
6 them based on your belief?

7 A That is correct.

8 Q Do you know who is reading those?

9 MR. LITT: Objection. This was asked this morning.

10 THE COURT: I'll sustain the objection as to anyone  
11 is reading them.

12 Are they sealed when they leave you?

13 THE WITNESS: Yes.

14 Q BY MR. FLYNN: Do you know where they are?

15 A No.

16 Q Do you know whether they are in the archives  
17 under the control of the Church of Spiritual Technology?

18 A I don't know.

19 Q Do you know who is leading the archives that  
20 are currently under the control of the Church of Spiritual  
21 Technology?

22 A I don't know.

23 Q Do you know whether inventories are being done  
24 of them?

25 A I don't know.

26 Q Did you give anyone permission to read through  
27 them and do an inventory?

28 A I don't know about an inventory.

4-3

1 Q Have you given anyone permission to read through  
2 the documents currently in the Church of Spiritual Technology  
3 Archives relating to you and your husband?

4 MR. LITT: Objection. Ambiguous as phrased.

5 THE COURT: It also assumes facts not in evidence.  
6 I don't recall that this witness had any knowledge of that.

7 Q BY MR. FLYNN: Do you know who Mr. Vorm is?

8 A Yes.

9 Q Have you given Mr. Vorm permission to read any  
10 of your personal letters?

11 A No.

12 Q Do you know whether he has?

13 A I don't know.

14 Q How about Mr. Long, Kenneth Long; have you  
15 given him permission?

16 A I don't know him.

17 Q Do you know an individual named Dan Pivilski?

18 A No.

19 Q Do you know whether he is currently supervising  
20 the contents of all of the Controller's Archives?

21 A I don't.

22 Q Did you ever give permission to Laurel Sullivan  
23 to read the letters?

24 A No.

25 Q Do you know whether she did?

26 A I don't know.

27 Q Did you ever give permission to Mr. Garrison  
28 to read any documents or letters relating to you and your

4-4  
1 husband?

2 MR. HARRIS: Have we shifted from personal letters to  
3 documents?

4 MR. FLYNN: Your Honor, I don't know what is personal.  
5 I have to try to find out.

6 THE COURT: Have you ever personally talked to  
7 Mr. Garrison?

8 THE WITNESS: No, sir.

9 THE COURT: Have you ever communicated with him,  
10 letters back and forth?

11 THE WITNESS: One letter that I can recall.

12 THE COURT: Was that before this series of events  
13 occurred, or after it occurred or during the middle of it?

14 THE WITNESS: It was during the middle of it, sir.

15 THE COURT: All right.

16 Q BY MR. FLYNN: Did you approve of the contract  
17 between PUBS DK and Omar Garrison?

18 MR. LITT: Objection. That has been answered, I think,  
19 three times.

20 THE COURT: I'll sustain the objection.  
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35-1

1 Q BY MR. LITT: To your knowledge, did your  
2 husband know that Omar Garrison was writing the biography?

3 A I don't know.

4 Q There were various attachments to the contract;  
5 is that correct, Mrs. Hubbard?

6 THE COURT: To the --

7 MR. FLYNN: Contract between PDK and Omar Garrison.

8 THE WITNESS: I think there were some schedules, yes.

9 Q BY MR. FLYNN: Let me show you these documents.

10 I have a copy for the court.

11 THE COURT: All right. Is this something you want  
12 marked as an exhibit?

13 MR. FLYNN: Please.

14 THE COURT: I guess we are up to I.

15 Q BY MR. FLYNN: Were those two documents attached  
16 to the contract, Mrs. Hubbard?

17 A I haven't read the documents, sir. I have  
18 seen Schedule A, something here marked Schedule A that was  
19 attached to the contract.

20 Q And Schedule A refers to LRH biography work  
21 points?

22 A Yes.

23 Q And how about the first page re Omar's  
24 biographical work point; have you seen that?

25 A No, I have never seen this before.

26 Q And you don't know whether that was attached  
27 to the contract?

28 A No, I don't.

5-2  
1 Q Do you see the initials down in the lower  
2 right-hand corner?

3 A Yes.

4 Q Do you recognize those to be the initials  
5 of Omar Garrison?

6 A I am not too familiar with the way he writes  
7 his initials.

8 Q Was your husband in the habit of signing  
9 documents L, then with a R underneath it?

10 A Upon occasions I have seen that done, yes.

11 Q Do you know whether your husband claimed that  
12 his records prior to 1953 had been stolen by Sarah Northrup,  
13 his second wife?

14 MR. LITT: Objection; beyond the scope. Has no  
15 relevance to Mrs. Hubbard's testimony.

16 THE COURT: Sustained.

17 Q BY MR. FLYNN: Do you know whether or not  
18 Omar Garrison as a condition to entering into the contract  
19 demanded access to your private and personal archives?

20 A No.

21 Q You don't know that?

22 A No.

23 Q Do you know or recall what archives Mr. Garrison  
24 demanded access to in order to write the biography?

25 A No.

26 Q Do you recall giving a deposition in this matter?

27 A Yes.

28 Q In January of 1983?

5-3

1 A Yes.

2 Q Page 126 lines 6 through 12.

3 Do you recall your testimony on that date,  
4 Mrs. Hubbard?

5 A Yes.

6 Q And at that time you testified, did you not,  
7 that Mr. Garrison would have access to the Guardian's  
8 Office Archives; is that correct?

9 A That is correct.

10 Q Now one of the items that you mentioned where  
11 you claim your private and personal rights were violated  
12 were the documents relating to the death of your son  
13 Quentin; is that correct?

14 A Yes.

15 Q And I believe you testified earlier that  
16 those were in the Guardian's Office Archives; is that correct?

17 A I think my testimony was that they were in  
18 the information bureau files.

19 Q Of the Guardian's Office?

20 A Of the US Guardian Office, yes.

21 Q And you testified in your deposition, did  
22 you not, under oath that Mr. Garrison had access to those  
23 files?

24 A What files?

25 Q The Guardian Office Archives files.

26 A Yes, this was the Guardian Office Worldwide  
27 Archive files that I was referring to.

28 Q So he had access with your permission to the

5-4

1 files involving the death of your son Quentin; is that  
2 correct?

3 A No.

4 Q Well, he had access to the files; didn't he?

5 A I don't know whether he had access to the  
6 files.

7 Q Do you know what was in the files?

8 A I am not certain what files we are talking  
9 about. I am talking about here the Guardian Office files  
10 worldwide.

11 THE COURT: Weren't those the ones in England?

12 THE WITNESS: Yes, sir.

13 THE COURT: That is the one you thought he had access  
14 to?

15 THE WITNESS: This is the ones that I thought in  
16 writing the biography that he was going to have access to.

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1 THE COURT: What about the ones here in Los Angeles?

2 THE WITNESS: Well, the ones here in Los Angeles, sir,  
3 were the ones that contained my personal storage and besides  
4 AOSH bulletins and policy letters and original letters.  
5 Archives at Worldwide held all of the historical data and  
6 information regarding the church and the development of  
7 Scientology and where it had been over the years and so on.  
8 And in Schedule A, Garrison was talking about mainly he  
9 was interested in writing a biography that showed how my  
10 husband developed the technology of Dianetics and Scientology.

11 Therefore, it was my estimation that we in  
12 the Guardian Office or the Guardian's Office Worldwide had  
13 collected together all of this historical information about  
14 the development of the churches. And over the years they  
15 had the main historical records in relation to that  
16 development and the history of the church.

17 THE COURT: You may continue, Counsel.

18 Q BY MR. FLYNN: Did you testify this morning  
19 that you didn't know it was in the Guardian's Office Worldwide  
20 Archives?

21 A I didn't know specifically. I have never been  
22 there. But I know what they were supposed to have collected  
23 up.

24 Q And you now claim you know generally what is  
25 in Guardian's Office Worldwide Archives; is that correct?

26 A Generally, yes.

27 Q And it includes everything you have just told  
28 the court?

6-2  
1 A Yes, sir.

2 Q And what you just told the court basically was  
3 that this related to materials that had to do with the  
4 development of the Spiritual Technology of Scientology?

5 A That's correct.

6 Q And not items of a personal nature?

7 A Not to my knowledge, no.

8 Q And have you ever been through them?

9 A I started the archives when I was over -- when  
10 I was with the Guardians Worldwide in 1966. And so I  
11 know what we were collecting at that time.

12 Q And when was the last time that you went  
13 through them?

14 A The last time I saw the archives was perhaps  
15 some time when I left in 1967.

16 Q And between 1967 and the present do you have  
17 any knowledge as to what has been placed in those archives?

18 A Not specifically. I just know what they were  
19 supposed to place in them.

20 Q Now, is it your testimony, Mrs. Hubbard,  
21 based on what you just said, that the book to be written  
22 by Omar Garrison was going to be about the history of the  
23 development of the technology of Scientology and not about  
24 the personal life of your husband?

25 A It was going to be how he developed technology.

26 Q Well, was it going to be about the personal life  
27 of your husband?

28 MR. LITT: I object. The question was just answered.

6-3  
1 MR. FLYNN: I submit it was somewhat evasive, Your  
2 Honor.

3 THE COURT: Was it going to be about the personal  
4 life of your husband?

5 THE WITNESS: To a degree, sir. But the main emphasis  
6 was on the development of Scientology and Dianetics.

7 Q BY MR. FLYNN: To what degree was it going to  
8 be about the life of your husband?

9 A I have no idea as to what degree.

10 Q You don't know?

11 A Well, I would say that I can make an assumption.

12 Q Well, were any -- did you place any restrictions  
13 on Mr. Garrison with regard to going into the personal life  
14 of your husband?

15 A No.

16 Q What would you characterize to be the personal  
17 life of your husband?

18 A Things like personal correspondence between  
19 his mother, his father, between his wife, his two wives;  
20 between his family members; between -- anything that was of  
21 a personal and private nature that one would give authorization  
22 to someone to review before giving to them.

23 Q Well, would you say that his academic background  
24 was of a personal and private nature?

25 A No.

26 Q Would you say that his military background  
27 was of a personal and private nature?

28 A I would say that certain information would be

36-4

1 of a personal and private nature that would not be a part  
2 of that sort of thing.

3 Q What information would be personal and private?

4 A The documents and records and that sort of  
5 thing.

6 Q What in the documents would be personal and  
7 private?

8 A For relationship to hospitalization of my  
9 husband; any treatment that was given to my husband for his  
10 war -- anything that happened to his physical health, that  
11 sort of thing.

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1 Q His physical health.

2 Now, you introduced a document called "My  
3 Philosophy"; is that correct?

4 MR. LITT: That document was introduced solely for  
5 purposes of the handwriting of Mr. Hubbard, not for its  
6 content.

7 MR. HARRIS: I fact, it hasn't been introduced, but if  
8 Mr. Flynn wants us to, we will.

9 MR. FLYNN: Your Honor, it was introduced, and I  
10 didn't pose any objection specifically.

11 THE COURT: It is in evidence for whatever purpose.

12 Q BY MR. FLYNN: And you testified that you were  
13 there when "My Philosophy" was written by your husband; is  
14 that correct?

15 A That is correct.

16 Q And you just testified that matters relating to  
17 his health were personal and private; is that correct?

18 A That's correct.

19 Q Let me show you --

20 MR. LITT: Can I see it first?

21 Q BY MR. FLYNN: -- the publication "My  
22 Philosophy" by L. Ron Hubbard.

23 A I generally looked it over.

24 Q Do you recognize that to be a publication of  
25 your husband and the Church of Scientology?

26 A Yes.

27 Q And that's been disseminated throughout the  
28 world; has it not?

1           A       Yes, I believe.

2           Q       Now, would you turn to the paragraph with regard  
3 to his injured optic nerve?

4           A       What paragraph specifically are you referring  
5 to? On what page?

6           Q       Page 3.

7           A       Yes.

8           Q       Now, it states in there, does it not,  
9 Mrs. Hubbard, that your husband states that he was blinded  
10 with injured optic nerves and lame with physical injuries to  
11 hip and back at the end of World War II.

12                        "I faced an almost  
13 nonexistent" --

14          A       I can hear you. You are too close.

15          Q       I will read it into the record.

16                        -- "future. My service record  
17 states 'This officer has no neurotic or  
18 psychotic tendencies of any kind whatsoever.'  
19 But it also states, 'permanently disabled  
20 physically.' And so there came a further blow.  
21 I was abandoned by family and friends as a  
22 supposedly hopeless cripple and a probable  
23 burden upon them for the rest of my days. I  
24 yet worked my way back to fitness and strength  
25 in less than two years using only what I knew  
26 and could determine about man and his  
27 relationship to the universe. I had no one to  
28 help me. What I had to know, I had to find

1 out, and it is quite a trick studying when you  
2 cannot see."

3 Now, did your husband disseminate that  
4 throughout the world about his health after World War II,  
5 Mrs. Hubbard?

6 A I don't know when he disseminated it around the  
7 world.

8 Q But you know that that document was  
9 disseminated around the world; is that correct?

10 A Yes.

11 Q And that document states that he was blinded  
12 with injured optic nerves and crippled; is that correct?

13 MR. LITT: Objection; the document has already been  
14 read.

15 MR. FLYNN: I will withdraw it, Your Honor.

16 THE COURT: All right.

17 Q BY MR. FLYNN: Is that the information of a  
18 private nature that you were referring to with regard to his  
19 hospitalizations and his health?

20 A I don't know if it is or not. This is  
21 information my husband released himself about himself.

22 Q Do you know whether that information is true?

23 MR. LITT: Objection, Your Honor. This is again --

24 THE COURT: Overruled.

25 MR. LITT: Mr. Flynn is once again trying to get into  
26 his case, Your Honor. It is beyond the scope.

27 THE COURT: Well, overruled. Goes to credibility.

28 Q BY MR. FLYNN: Do you know whether that

1 information is true, Mrs. Hubbard?

2 A No, I don't know if it is true or not true.

3 Q Well, is that the type of information that you  
4 considered to be private or personal?

5 A Well, my husband has released this information.

6 Q How many biographies have you read about your  
7 husband?

8 A I haven't read any biographies about my husband  
9 except on book jackets.

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1 Q And do you know how much information he has  
2 released about himself?

3 A No, I don't.

4 Q Were you mentally raped by information in the  
5 documents relating to whether he was blinded and crippled  
6 and hopelessly lame after World War II?

7 A No.

8 Q Have you seen a doctor for your emotional or  
9 mental distress?

10 A I'm sorry. What?

11 Q Have you seen a doctor for the mental and  
12 emotional distress you have suffered from someone having  
13 access to these documents?

14 A I am under the care of my physician, yes.

15 Q How long have you been under the care of your  
16 physician?

17 A Since -- I am not certain exactly when.

18 Q Prior to 1980?

19 A Yes, I think so.

20 Q Prior to 1978?

21 A Sometime in '78, I think.

22 Q The same physician -- have you been consulting  
23 the same physician since 1978?

24 A More or less.

25 Q Have you seen a psychiatrist?

26 A No.

27 Q Now, did you ever suffer from emotional distress  
28 because Gerald Armstrong had access to these documents?

1           A       I suffered from emotional distress merely, as I  
2 have said, because someone went into my personal storage  
3 without my permission and without my authority and took  
4 papers which contained personal and private matters and then  
5 without my authorization showed them to other people. He  
6 sent them to you. He sent them to Contos & Bunch and so on.

7                   This was all done without my personal authority,  
8 without my personal knowledge. I think --

9                   I don't know what you are getting at, Mr. Flynn,  
10 but I know that simply it is my usual understanding if you  
11 own something and it is your personal thing, that you have  
12 to ask permission from someone to go into it. And you have  
13 to ask permission before you can take it away. And I don't  
14 know anything further than that. I am sorry.

15           Q       Do you know whether Mr. Armstrong asked  
16 permission?

17           A       He never asked my permission at all.

18           Q       Do you know whether Mr. Garrison asked  
19 permission?

20           A       I don't know.

21           Q       And you testified earlier you don't know -- you  
22 didn't learn until the summer of 1982 that Mr. Armstrong  
23 asked permission from your husband; is that correct?

24           MR. LITT: I object. If she testified earlier about  
25 something, then it is already in the record.

26           MR. FLYNN: I'll withdraw it, Your Honor.

27           Q       Did you suffer from emotional distress because  
28 Omar Garrison saw these documents?

1           A       Yes. I think a lot of the documents were very  
2 personal and private. And I would not have authorized to  
3 give them to him.

4           Q       So you suffered from emotional distress because  
5 he saw them; is that correct?

6           A       Yes. A lot of them were personal and private.

7           Q       Did you suffer from emotional distress because  
8 Laurel Sullivan saw them during a shredding operation?

9           MR. LITT: Objection. That assumes facts not in  
10 evidence. It is also argumentative.

11          THE COURT: Sustained.

12          Q       BY MR. FLYNN: Do you know whether Laurel  
13 Sullivan has read any of these documents?

14          A       I don't know.

15          Q       Do you know Mr. Vaughn Young?

16          A       Yes.

17          Q       And what is your understanding as to what  
18 relationship Mr. Young has, if any, to the biography  
19 project?

20          A       I don't know.

21          Q       Do you know whether he has access to these  
22 documents?

23          A       I don't know.

24          Q       So you don't know, then, whether you have  
25 suffered any emotional distress because he saw them; is that  
26 correct?

27          A       I don't know.

28          Q       What about Barbara De Celle; do you know who she

1 is?

2 A I have heard of her.

3 Q Have you suffered any emotional distress because  
4 Barbara De Celle may have had access to them?

5 A I don't know.

6 Q How about Jeanine Boyd; have you suffered any  
7 emotional distress because she has had access to them?

8 MR. LITT: Objection. That assumes facts not in  
9 evidence.

10 We can list a thousand people. There is no  
11 evidence as to whether these people had access to them or  
12 not.

13 Mrs. Hubbard has testified that she does not  
14 know anything about it.

15 MR. FLYNN: That is the point. There will be --

16 THE COURT: There were other people, without getting  
17 into what their names might be. That is the substance of  
18 it.

19 I'll sustain the objection.

20 Q BY MR. FLYNN: Are you aware of the fact that  
21 Omar Garrison negotiated a settlement --

22 A Yes.

23 Q -- in the summer of 1983 relating to the  
24 biography project?

25 A Yes.

26 Q What role, if any, did you play in that,  
27 Mrs. Hubbard?

28 A None.

1 Q Do you know who entered into the settlement?

2 A No.

3 Q Have you ever heard of a corporation called New  
4 Era Publications?

5 A Yes.

6 Q To your knowledge was New Era Publications  
7 involved in that settlement?

8 A I don't know.

9 Q Do you know whether New Era Publications was  
10 claiming to be an assignee under the contract entered into  
11 between PUBS DK and Omar Garrison?

12 A I don't know.

13 Q Did you put any provision in the contract or  
14 request any provision to be put into the contract with  
15 regard to limitations on the access of various people to the  
16 documents to be used for the biography project?

17 A No.

18 Q Did that issue arise in any discussions you had  
19 with anyone?

20 A I had no discussions with anyone.

21 Q Did you ever have a discussion with Laurel  
22 Sullivan about the documents that were in Mr. Garrison's  
23 possession that were being used for the biography project?

24 A I can't recall any specific discussions with  
25 Laurel Sullivan about that sort of thing.

26 Q Other than yourself did anyone else represent  
27 PUBS DK in connection with the preparation of the contract?

28 MR. LITT: I object. The "other than yourself"

1 assumes facts not in evidence. As to the rest, it has been  
2 asked and answered. Mrs. Hubbard testified she didn't know  
3 who represented PUBS DK in the negotiations.

4 THE COURT: I'll sustain the objection.

5 Q BY MR. FLYNN: Did you testify that you  
6 represented the church?

7 A Yes.

8 Q Did you testify that the church and PUBS DK were  
9 one and the same?

10 MR. LITT: Objection.

11 THE COURT: I don't think she said that. They were  
12 related or something.

13 THE WITNESS: I said that the AOSH DK is a separate  
14 Danish corporation which is the church. And I was  
15 representing its interests in okaying final authorization  
16 for the contract.

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1 Q And what relationship did they have if you know?

2 MR. LITT: Objection; what is the "they"?

3 MR. FLYNN: The two corporations, the Church of  
4 Scientology and PUBS DK.

5 MR. LITT: Church of Scientology of California or some  
6 other Church of Scientology?

7 THE COURT: You better --

8 Q BY MR. FLYNN: What relationship existed in  
9 October 1980 between the Church of Scientology of California  
10 and PUBS DK?

11 A I don't know of any relationship. We are all  
12 Church of Scientology and we are all Scientologists. I am  
13 sure that -- let's see -- I think senior management within  
14 the church could have sort of like general a general  
15 overview of looking after the running of the Danish Church.

16 Q Now, you testified that the first four  
17 paragraphs of the contract related to the access of people  
18 like Mr. Armstrong to the biographical material; is that  
19 correct?

20 MR. LITT: Objection.

21 THE WITNESS: I don't recall saying that.

22 Q BY MR. FLYNN: Do you recall giving any material  
23 about the first paragraphs of the contract relating to  
24 invasion of privacy?

25 A Yes.

26 Q And what is your understanding, Mrs. Hubbard, as  
27 to what those paragraphs meant with regard to invasion of  
28 privacy?

1           A       That the author -- that the work and materials  
2 and the book and so on would not invade anyone's privacy.  
3 Would not say anything libelous about anyone. Would not  
4 contain anything that was unlawful. Would not violate the  
5 copyright of anyone else. Would not violate any proprietary  
6 interest of any third party.

7           Q       Now, do you know of anything that Mr. Garrison  
8 did that was libelous when he was writing the biography?

9           A       I don't know.

10          Q       Do you know of anything that Mr. Garrison did  
11 that constituted an invasion of privacy?

12          A       Not that I know of. I think if Mr. Garrison had  
13 known that I had not authorized the release of the  
14 materials, I think he would have been upset about the fact  
15 because he is a very ethical man.

16          Q       So your testimony is that you don't know  
17 anything that Mr. Garrison did that constituted an invasion  
18 of privacy; is that correct?

19          A       I am saying that I don't think Mr. Garrison was  
20 aware at the time that these materials that he was receiving  
21 were materials which I and my husband had not authorized to  
22 be released to him, so he wouldn't have known whether he was  
23 invading my privacy or not invading my privacy.

24          Q       Your testimony is that Mr. Garrison didn't know  
25 whether he was or wasn't; is that correct?

26           THE COURT: It was her state of mind that he didn't  
27 believe that he knew, so it is her state of mind about his  
28 state of mind.



1 Q BY MR. FLYNN: Well, tell me, Mrs. Hubbard, you  
2 now know, do you not, that Omar Garrison had access to all  
3 these materials?

4 A Yes, I do know.

5 Q And is it your present state of mind that he  
6 invaded your privacy by having access to those materials?

7 A I don't think that maybe -- I don't know what  
8 he knows today. I don't know if he knows that I never  
9 authorized or never authorized him to have it, so I don't  
10 know what he thinks.

11 Q The question is is it your present state of  
12 mind --

13 THE COURT: Well, her state of mind is that she  
14 doesn't know. I think that is what she is saying.

15 Q BY MR. FLYNN: And that state of mind is  
16 predicated upon the fact that Mr. Garrison didn't know he  
17 was invading your privacy; is that correct?

18 THE COURT: That is her belief.

19 Q BY MR. FLYNN: Is it your belief that when  
20 Mr. Armstrong gave the documents to Mr. Garrison, he knew he  
21 was invading your privacy?

22 A I believe that Mr. Armstrong believed that he  
23 was invading my privacy, yes.

24 Q And you believe that was his state of mind at  
25 the time?

26 A Yes, I do.

27 Q Are you familiar with the letter that  
28 Mr. Armstrong wrote to a Cirrus Slevin?

1           A       No, I am not.

2           Q       During the year and a half that Mr. Armstrong  
3 was collecting these documents, are you aware of any  
4 attempts he made inside the Church of Scientology to correct  
5 biographical misrepresentations about your husband?

6           MR. LITT:  Objection; beyond the scope and irrelevant.

7           MR. HARRIS:  Also assumes facts not in evidence that  
8 there were any biographical misrepresentations.

9           THE COURT:  I am going to overrule the objection.

10                   were you aware of anything that Mr. Armstrong  
11 was doing with reference to assertions that there should be  
12 corrections in the biography or anything of that nature?

13           THE WITNESS:  No, sir, and he never notified me of  
14 any.  I never heard from him.

15           Q       BY MR. FLYNN:  Now, you testified that you don't  
16 believe that Mr. Omar Garrison was aware that he was  
17 invading your privacy; is that correct?

18           MR. LITT:  Objection, the witness has already answered  
19 this.

20           THE COURT:  Sustained.

21           Q       BY MR. FLYNN:  In October 1980, Mrs. Hubbard,  
22 was there a line of communication between church members and  
23 you?

24           MR. LITT:  Object to the phrase "line of  
25 communication."  What does that mean?

26           THE COURT:  Well, the witness has used the term.  I am  
27 not sure myself what it means, but at the same time the  
28 witness has used the terminology and maybe within the church

1 it has some meaning.

2 "Line of communications," what does that mean to  
3 you?

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1 THE WITNESS: That means a way of sending something  
2 to me.

3 THE COURT: That terminology, those are not words  
4 that are unknown to you?

5 THE WITNESS: No, sir.

6 Q BY MR. FLYNN: You are familiar with the term  
7 "line of communication"; are you not?

8 A Yes.

9 Q In Scientology they are called "com lines";  
10 is that correct?

11 A That is correct.

12 Q Now, in October, 1980 were you the controller?

13 A Yes.

14 Q Was there a com line to you, then, Mrs. Hubbard?

15 A Yes.

16 Q Would you look at the documents that I have  
17 placed in front of you dated 15 October, 1980.

18 A Yes.

19 Q Read that to yourself and then I'll ask you  
20 a few questions about it.

21 A What do you want me to read of it? Do you  
22 want me to read the whole document?

23 Q Read it so you can, first, testify as to  
24 whether you recall receiving it.

25 THE COURT: The C on the upper left-hand corner,  
26 is that for Controller?

27 THE WITNESS: Yes.

28 I have never received this document.

1 Q BY MR. FLYNN: In response to the Judge's  
2 question, the C in the upper left-hand corner means your  
3 position of controller which you were in October of 1980?

4 A Yes.

5 Q And your testimony is you never received this?

6 A Correct.

7 Q Did you ever have any conversations with  
8 Laurel Sullivan about this piece of correspondence?

9 A No.

10 Q Now, prior to today, other than in October,  
11 1980 have you read the documents?

12 MR. HARRIS: "Other than 1980" assumes a fact not in  
13 evidence, Your Honor.

14 THE OCURT: Sustained.

15 Reframe the question.

16 Q BY MR. FLYNN: Have you ever read this  
17 document at any time?

18 A Yes.

19 Q When?

20 A In my attorney's office.

21 Q Do you recall --

22 THE COURT: Do you want this document marked as an  
23 exhibit, Counsel?

24 MR. FLYNN: Yes, Your Honor.

25 THE COURT: Mark it J collectively.

26 Q BY MR. FLYNN: Did you ever have any communications  
27 with Mr. Armstrong, oral communications, relative to the  
28 biography project?

1 A No.

2 Q On how many occasions did you have written  
3 communications?

4 A As I recall, to the best of my recollection,  
5 I had the one communication from the one that was -- that  
6 we already have in on exhibit.

7 Q And that was in February, 1980?

8 A Yes.

9 Q And that was the last time you had any  
10 communications with him; is that your testimony?

11 A That is to the best of my recollection, yes.

12 Q Do you know who his supervisor was?

13 A Yes.

14 Q Who?

15 A Laurel Sullivan.

16 Q In October 1980 did you have conversations  
17 with Laurel Sullivan about the biography project?

18 A Conversations?

19 Q Correct.

20 A To the best of my recollection, we didn't have--  
21 we didn't discuss that to any extent at all, no.

22 Q And did you have any written communications  
23 between Laurel Sullivan and yourself about the biography  
24 project?

25 A There might have been some written communications.

26 Q And do you recall what it was?

27 A No, I don't.

28 Q Isn't it a fact that Laurel Sullivan kept

1 you abreast throughout the biography project of the documents  
2 that were being collected?

3 A No, you did not.

4 Q Isn't it a fact, Mrs. Hubbard, that you knew  
5 that Omar Garrison required the personal archives of your  
6 husband before he would enter into the contract?

7 MR. LITT: I object. The witness was already asked  
8 that question and said she didn't know.

9 THE COURT: It is a little bit different.

10 I'll overrule the objection.

11 THE WITNESS: I don't know.

12 Q BY MR. FLYNN: You don't know whether he did  
13 require it?

14 A I don't know. I never corresponded with  
15 Mr. Garrison except for one letter. I don't know.

16 Q You testified that the documents relating to  
17 Alexis constituted an invasion of your privacy and you  
18 suffered emotional distress from Mr. Armstrong having  
19 access to those documents; is that correct?

20 A Yes.

21 Q What documents are you referring to?

22 A I am referring to -- there is a letter that I  
23 wrote to my husband and there is a letter that he wrote  
24 back. There was a letter that he wrote to the Guardian  
25 Worldwide that I am aware of.

26 MR. FLYNN: Your Honor, could we get that from the  
27 sealed documents?

28 THE COURT: Could you identify it more specifically?

1 MR. FLYNN: Item 4.L, Your Honor.

2 Q Who is Alexis, Mrs. Hubbard?

3 A Alexis is a young lady that is the daughter of  
4 my husband's former wife.

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1           Q       You admit that she was the daughter of your  
2 husband's former wife?

3           MR. HARRIS: "Admit it," Your Honor?

4           THE COURT: I will sustain the objection.

5           MR. HARRIS: really, Mr. Flynn.

6           MR. FLYNN: Really, Mr. --

7           Q       Now, let me show you the documents relating to  
8 Al Alexis, and please refer to the document which caused you  
9 emotional distress when you knew that Mr. Armstrong had  
10 access to it.

11          A       Here is a personal letter from the young lady to  
12 L. Ron Hubbard. That is not something that was addressed to  
13 Mr. Armstrong.

14          Q       Let's stop right there.

15                   A personal letter of the young lady to L. Ron  
16 Hubbard?

17          A       Yes.

18          Q       Is it your claim that that is private?

19          A       Yes.

20          Q       Do you know how many people have access to that  
21 letter?

22          A       I know that only people I have authorized have  
23 access to it.

24          Q       Have you ever spoken to the girl who wrote the  
25 letter?

26          A       No.

27          Q       Do you know how many people she's given it to?

28          A       I don't know.

1 Q Did you ever try to prevent her from giving it  
2 to third parties?

3 A No.

4 Q Do you know whether Alexis Hollister gave that  
5 to Gerald Armstrong?

6 MR. LITT: Objection; assumes facts not in evidence.

7 What does that have to do with anything?

8 THE COURT: Just a question. You can answer it yes or  
9 no or you don't know.

10 THE WITNESS: Well, I don't know. It is addressed to  
11 my husband, so he received it, so I don't know --

12 Q BY MR. FLYNN: Do you know whether I represent  
13 Alexis Hollister?

14 A No, I don't.

15 Q Do you know whether she ever gave me the letter?

16 A She might have given you the letter. I don't  
17 know.

18 Q Were you mentally raped by knowing that  
19 Mr. Armstrong had access to a letter written by Alexis to  
20 L. Ron Hubbard?

21 A I would say that I felt my husband's and my  
22 personal privacy had been invaded.

23 Q What is it of the contents of the letter that  
24 caused you to be mentally raped, Mrs. Hubbard?

25 MR. LITT: Objection; the testimony wasn't that she  
26 was mentally raped. She answered the question with respect  
27 to that document that she felt it was private.

28 THE COURT: Well, I am going to sustain the objection.

1 I think it is argumentative as phrased. I don't know that  
2 the witness ever indicated that this specific letter caused  
3 her to have that particular state of feeling, but --

4 Q BY MR. FLYNN: Did that letter cause you to be  
5 emotionally distressed when you learned that Mr. Armstrong  
6 had access to it?

7 A It was emotionally upsetting, yes.

8 Q What is the next item?

9 A There is some pictures, Xeroxes of pictures.

10 Q Pictures of what?

11 A They are pictures of -- there is a picture of, I  
12 presume it is a picture of Alexis.

13 Q With whom?

14 A I don't know the people with whom she is.

15 Q And the fact that Mr. Armstrong had access to  
16 that, did that cause you emotional distress?

17 A Well, these pictures weren't just sent to  
18 Mr. Armstrong and they weren't sent for Mr. Armstrong to  
19 give to you, so to me that is upsetting that that occurred.

20 Q Do you know how many other people around the  
21 world have seen those pictures?

22 A No, I don't.

23 Q What is the next item?

24 A Well, it just looks like some -- I guess it is  
25 notations of things that were on the back of the pictures.

26 Q Let me stop you right there.

27 Where do you think that those first items came  
28 from when Mr. Armstrong obtained possession of them?

1           A        These came from either the Guardian files or  
2 they came from my personal files.

3           Q        According to your deposition testimony you gave  
4 permission to Mr. Armstrong to have access to the Guardian's  
5 Office files for Mr. Garrison; is that correct?

6           MR. LITT:  Objection; asked and answered.  We have  
7 been through this I don't know how many times at this point.

8           MR. FLYNN:  Well, just to put it in this part of the  
9 record.

10          THE COURT:  All right, you can answer.

11          THE WITNESS:  I gave him permission to have what we  
12 call an archives with which are the PRO archives.  I don't  
13 think that was in the Guardian Worldwide archives.

14          Q        Do you know whether it was or wasn't?

15          A        No, I don't know that.  
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1 Q Have you ever heard of the Pers Sec files?

2 A Pers Sec files? I have heard of the Pers Sec.

3 Q What are the Pers Sec files?

4 A They are personal secretary. And she would have  
5 certain files.

6 Q And do you know whether or not those documents  
7 came out of the personal secretary's files?

8 A No, I don't.

9 Q Do you know whether Mr. Armstrong was given  
10 permission to go into the personal secretary's files?

11 A I don't know.

12 Q Do you know where the personal secretary's files  
13 were located in 1980?

14 A No, I don't.

15 Q In 1981?

16 A No, I don't.

17 Q Would you turn to the documents after the  
18 picture.

19 A Yes.

20 Q What is that, Mrs. Hubbard?

21 A That is a dispatch that is addressed to me by  
22 Jane Kember.

23 Q Who is Jane Kember?

24 A She is the Guardian Worldwide --

25 MR. LITT: Is this referring to the time period when  
26 these were written, the question and answer?

27 THE WITNESS: I presume.

28 THE COURT: So understood.

1 Q BY MR. FLYNN: What is the date of that  
2 document, Mrs. Hubbard?

3 A It is December 15, '71.

4 Q 1971?

5 A Yes.

6 Q And did you suffer emotional distress from  
7 having that document in the hands of Mr. Garrison or  
8 Mr. Armstrong?

9 A Yes. I thought it was an invasion of my  
10 privacy.

11 It is addressed to me. It is something I would  
12 not have given to Mr. Armstrong. It is something I would  
13 not have given to Mr. Garrison.

14 Q In that document Miss Kember was telling you,  
15 was she not, that she had received a letter from Alexis  
16 wanting to know whether L. Ron Hubbard was her father?

17 A No. I -- it doesn't say that.

18 Q What does it say?

19 MR. HARRIS: May the court read it, as to what it does  
20 say?

21 THE COURT: If I can read it.

22 MR. HARRIS: I think it would be better than Mr. Flynn  
23 reading it for you.

24 MR. FLYNN: There is a series of letters there, Your  
25 Honor. Maybe that one or the next one.

26 Perhaps we could take a break and if Your Honor  
27 read the entire file, maybe it would be of some  
28 significance.

1 MR. HARRIS: We have no objection to that, Your Honor.

2 THE COURT: Okay.

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4 (Recess.)

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6 THE COURT: We are back in session.

7 The witness may resume the stand.

8 State your name again for the record. You are  
9 still under oath.

10 THE WITNESS: Mary Sue Hubbard.

11 THE COURT: I have read through this collection of  
12 documents. I am not sure where we were when we left off,  
13 but the parties wanted me to read this. I read it. I am  
14 not sure I am any better off for having read it.

15 Q BY MR. FLYNN: Mrs. Hubbard, did you testify  
16 previously that Alexis was your husband's daughter by his  
17 second marriage?

18 MR. LITT: Objection. That misstates the testimony.

19 The testimony was that it was the daughter of  
20 Mr. Hubbard's former wife.

21 MR. HARRIS: Characterized as an admission by Mr.  
22 Flynn.

23 MR. FLYNN: I'll ask her.

24 Q Was Alexis L. Ron Hubbard's daughter?

25 THE COURT: I don't know how she would know. It would  
26 call for a conclusion on her part, counsel.

27 She can answer whether Mr. Hubbard told her it  
28 was his daughter or not.

1 Q BY MR. FLYNN: What was your understanding as to  
2 what L. Ron Hubbard told you?

3 A That she was not his daughter.

4 Q BY MR. FLYNN: She was not his daughter?

5 MR. LITT: I object. That is argumentative. That is  
6 what she just said, Your Honor.

7 THE COURT: Sustained.

8 Q BY MR. FLYNN: The exhibit that the judge has in  
9 front of him, do you claim that that is personal  
10 correspondence between you and your husband?

11 A I claim that this is personal and private.

12 THE COURT: Well, that wasn't really the question.

13 He asked you if it was personal correspondence  
14 between you and your husband.

15 THE WITNESS: Yes.

16 Q BY MR. FLYNN: Who is Jane Kember?

17 MR. LITT: Are we talking about at this time period?

18 THE COURT: At the time the letter was involved.

19 Q BY MR. FLYNN: Who was Jane Kember in 1971?

20 MR. LITT: That has been answered.

21 THE WITNESS: She is the Guardian Worldwide.  
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1 Q BY MR. FLYNN: and that was the agency of the  
2 church that handled external affairs, as you put it; is that  
3 correct?

4 A That's correct.

5 Q And was she L. Ron Hubbard's personal secretary?

6 A No, she was not.

7 Q Was she your personal secretary?

8 A She was my direct junior.

9 Q And the correspondence that is in that exhibit  
10 relates to correspondence between you and L. Ron Hubbard and  
11 Jane Kember and L. Ron Hubbard; is that correct?

12 A Between myself and Jane Kember, between myself  
13 and my husband, and a note to Jane from my husband.

14 Q Now, is it your contention that the letter  
15 between you and Jane Kember is private and personal?

16 A It is my contention that this is a private and a  
17 personal matter which I did not authorize anyone, Mr. Flynn,  
18 to give to you for you to be throwing all around the world.  
19 That is what I am saying.

20 Q And is it your claim that I have thrown that all  
21 around the world, Mrs. Hubbard?

22 THE COURT: Well, we are not going to get involved --

23 THE WITNESS: Sorry, I just get upset, Your Honor.

24 Q BY MR. FLYNN: Well, this reference in there to  
25 taking a non-general use typewriter and having someone go, a  
26 Guardian's Office agent go and read a letter that your  
27 husband wrote out in longhand, that is in there; is it not?

28 A You will have to point me to it, unless I sit

1 here and read this myself once again.

2 Q Let's see if I can find it.

3 Do you recognize this to be the handwriting of  
4 your husband?

5 A Yes.

6 Q And he states, does he not, "Instructions. This  
7 is to be typed on a non-general use typewriter."

8 A Yes.

9 Q Is that correct?

10 A Yes.

11 Q And did you make that recommendation to him?

12 A No, I did not.

13 Q Did Jane Kember make that recommendation to him?

14 A No, she did not.

15 Q Was it recommended that the document be typed  
16 and then taken to Alexis and read and then the typed version  
17 destroyed?

18 MR. LITT: Read by whom? Is it a reference to what is  
19 in these documents?

20 THE COURT: Well, I assume it is a letter that appears  
21 to be in her husband's handwriting, characterizing it.  
22 Overruled.

23 THE WITNESS: What was your question again?

24 Q BY MR. FLYNN: Were the instructions that a  
25 typed version of that letter typed on a non-general use  
26 typewriter should be taken and read to Alexis and then the  
27 typed version destroyed?

28 A No.

1 Q Pardon me, Mrs. Hubbard.

2 The instructions were that it was to be read to  
3 her and not given to her; is that correct?

4 A Yes.

5 Q Now, did your husband follow your recommendation  
6 or Jane Kember's recommendation when he wrote those  
7 instructions?

8 MR. LITT: Objection; assumes facts not in evidence  
9 that he followed somebody's recommendation.

10 THE COURT: Sustained.

11 Q BY MR. FLYNN: Well, are there recommendations  
12 in there from Mr. Hubbard from Jane Kember as to what to do  
13 with the situation and recommendations from you?

14 A There were.

15 Q And did they differ?

16 A Yes.

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1 Q How do they differ?

2 A She suggested that the Guardian's Office tell  
3 her that my husband was not her father. And she -- and then  
4 I said that I recommended that a letter -- that my husband  
5 write a letter and give the true facts about the matter in a  
6 letter.

7 Q And did you recite what the true facts were?

8 A Those were the facts that I knew to be true,  
9 yes.

10 Q What facts did you recite were true that he  
11 should write.

12 MR. HARRIS: Your Honor --

13 THE COURT: I don't know what the relevancy of it is,  
14 counsel, really.

15 MR. FLYNN: Your Honor, this goes to the claim that  
16 the witness was emotionally damaged as a result of  
17 Mr. Armstrong having access to this. There will be  
18 extensive testimony --

19 THE COURT: I don't know. This is sort of in an area  
20 of personal matters, private matters that I suppose no  
21 single instance there is all that relevant to worry about  
22 anything in particular other than the whole thing is private  
23 and whether she made certain recommendations or whether this  
24 other lady did something and whether Mr. Hubbard adopted a  
25 certain course. I don't really see what the relevancy is.

26 Under 352 I think I'll exclude it.

27 Q BY MR. FLYNN: Mrs. Hubbard, have you read other  
28 documents under seal in your husband's handwriting in which

1 he says he is the father?

2 A No, I have not.

3 Q Are you aware of any documents in which L. Ron  
4 Hubbard says he is the father?

5 A I am aware that at one point, yes.

6 Q Didn't he write letters to Don Purcell saying he  
7 was the father of Alexis?

8 A I don't know that.

9 Q What color hair does your husband have?

10 MR. LITT: Objection.

11 Where are we going with this? Really, Your  
12 Honor, this is about it.

13 THE COURT: That is part of the mystery.

14 Q BY MR. FLYNN: He has red hair, does he not?

15 A He has red hair.

16 Q What color hair does Alexis have if you know?

17 A I don't know.

18 Q Have you ever seen any early publications in  
19 which your husband is pictured with Alexis?

20 A No.

21 Q Were you emotionally distressed because  
22 Mr. Armstrong found out that you and the Guardian Office  
23 were telling a lie to Alexis that L. Ron Hubbard is not her  
24 father?

25 MR. HARRIS: That assumes facts not in evidence.

26 This is outrageous, Your Honor.

27 MR. LITT: I object, Your Honor, on the ground --

28 THE COURT: You can't both object at the same time.

1 MR. HARRIS: It has to do with both of our clients,  
2 one in our capacity as the church; the Guardian's Office  
3 that I am representing --

4 THE COURT: I'll let both of you have an opportunity  
5 to be heard. It goes to the genuineness of the claim.

6 I'll overrule the objection.

7 MR. HARRIS: The genuineness of the claim, Your Honor,  
8 must be satisfied in respect to the state of mind of  
9 Mr. Armstrong.

10 THE COURT: That goes to the affirmative defense. But  
11 there are other aspects of this lawsuit. Whether or not --

12 MR. LITT: Your Honor --

13 THE COURT: The claim of damages has been advanced,  
14 that she is damaged because this is personal and private.

15 If it is for some other illicit purpose -- and I  
16 am not suggesting that it necessarily is -- that would  
17 mitigate. Certainly, you can't recover damages, I suppose,  
18 for something that does not exist.

19 MR. LITT: Then the question should be whether  
20 Mrs. Hubbard has any reason to believe that the statement  
21 made in the letter is a lie.

22 THE COURT: This is cross-examination. If he does not  
23 prove it up, he does not prove it up.

24 She has also indicated that there are some  
25 documents somewhere that Mr. Hubbard says that it is his  
26 daughter.

27 MR. LITT: Mr. Hubbard said in the letter that he  
28 treated her as his daughter.

1 THE COURT: Let's go forward.

2 Q BY MR. FLYNN: Mrs. Hubbard, do you know whether  
3 Alexis was the subject of a probate proceeding in 1951?

4 A I don't know.

5 THE COURT: Probate, really, usually has something to  
6 do with death.

7 Do you mean some kind of guardianship  
8 proceeding?

9 MR. FLYNN: That would be in probate in Massachusetts,  
10 Your Honor.

11 Q A divorce proceeding between Sarah and your  
12 husband?

13 A Yes.

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1 Q And were those records published; do you know?

2 A I believe divorce records are public, yes.

3 Q And do those records relate to the paternity of  
4 Alexis; do you know?

5 A No, they did not.

6 Q Do the documents in front of you relate to the  
7 paternity of Alexis?

8 A Yes.

9 Q And are you saying that those documents contain  
10 information which is private and personal?

11 A Yes. I think it is a private and personal  
12 matter.

13 Q Is the paternity of Alexis a private and  
14 personal matter?

15 A Yes, I think so.

16 Q Is whether L. Ron Hubbard lied or told the truth  
17 about the paternity of Alexis a private and personal matter?

18 MR. LITT: Objection; it is argumentative and it is  
19 irrelevant.

20 THE COURT: I am going to sustain the objection.

21 Q BY MR. FLYNN: Can you point to one fact in  
22 those documents, one item of information, Mrs. Hubbard,  
23 which you claim is private and personal?

24 A I think the whole thing is private and personal.  
25 I am sorry. That is just my own estimation of it.

26 Q Can you point to one item of information?

27 A Well, I think -- I think the whole thing about  
28 someone's paternity or what not in relationship to a private



1 family matter is private and I consider the whole thing  
2 private.

3 Q Do you consider Alexis trying to find out  
4 whether L. Ron Hubbard is her father to be a private and  
5 personal matter?

6 MR. LITT: Your Honor, how long are we going to spend  
7 on this?

8 THE COURT: I will sustain the objection.

9 MR. FLYNN: Your Honor, it is now almost 4:00 o'clock.  
10 Could we break for the day?

11 THE COURT: Well, it is now almost 4:00. Have you run  
12 out of questions?

13 MR. FLYNN: No, I have a little bit longer, but I am  
14 going to be getting into a different area.

15 THE CLERK: Is that an exhibit?

16 THE COURT: Well at the present time it is not marked.  
17 However, we can return it to exhibit 4-L. I will return it  
18 to the clerk.

19 Okay, we will take a recess. We will reconvene  
20 tomorrow morning at 9:00 a.m.

21 MR. LITT: Your Honor, may I make one inquiry? Is Mr.  
22 Flynn in a position to give some estimate as to how much  
23 longer Mrs. Hubbard will be on the stand?

24 Mrs. Hubbard has hypoglycemia and it is somewhat  
25 difficult for her to do this day after day. I'd like to  
26 have some kind of estimate of what we are talking about.

27 MR. FLYNN: Your Honor, as Mr. Harris said the other  
28 day, it depends on the answers.

1 THE COURT: If there is any health problem here, we  
2 can work around Mrs. Hubbard and put some other witness on.

3 There was some homework that had to be done.

4 MR. LITT: Yes. We are going to do that this evening.

5 MR. FLYNN: But I don't expect it will be too much  
6 longer.

7 THE COURT: If there is any problem, you don't feel  
8 well, let us know and we can take a break as far as you are  
9 concerned and get somebody else in here.

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11 (At 3:58 p.m. an adjournment was taken,  
12 to be resumed Tuesday, May 8, 1984 at  
13 9:00 a.m.)  
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